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WILLIAM  
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YRABILL



**A**  
**GENERAL HISTORY**  
**OF THE**  
**LIVES, TRIALS, and EXECUTIONS**  
**OF ALL THE**  
**Royal and Noble Personages,**  
That have suffered in Great-Britain and Ireland for  
**HIGH TREASON, or other CRIMES,**  
**FROM THE**  
**Accession of HENRY VIII. to the Throne of England,**  
**down to the present Time;**  
**With a CIRCUMSTANTIAL NARRATIVE of**  
**Their BEHAVIOUR during CONFINEMENT,**  
**AND**  
**AT THE PLACE OF EXECUTION:**

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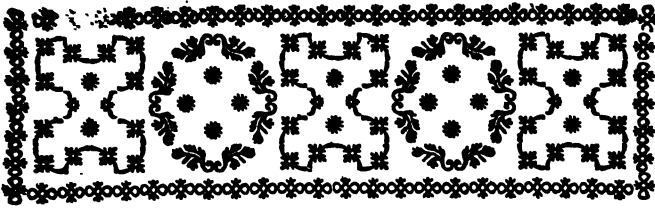
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A

# General History, &c.

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T H E

## History of the Life and Death

O F

## THOMAS WYAT.



ISTORY takes scarce any notice of sir Thomas Wyat, except in the detail of the circumstances of the rebellion for which he suffered, which we shall here lay before the reader from authentic accounts, and in the most exact and circumstantial manner possible.

Sir Thomas Wyat was one of the chief instruments in the conspiracy formed against queen Mary in 1554, of which her marriage with Philip, son to the emperor Charles VI. was the pretext, or, more probably, the pretext. He was seconded by

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the

#### 4 The LIFE and DEATH of

the duke of Suffolk, and sir Peter Carew of Cornwall, in the design which he formed of raising a general insurrection. It was agreed among the conspirators, that Carew should act in Cornwall Wyat in Kent, and the duke of Suffolk in Warwickshire, which is in the centre of the kingdom.

It seldom happens that all who are concerned in a conspiracy acquit themselves in such a manner as to insure its success. The indiserect conduct of Carew upon this occasion was such as to cause his plot to be discovered, and one of his accomplices arrested before he had taken proper measures to succeed. This obliged him to go to France, and Wyat upon his flight hastened the execution of his design, though the conspirators at first intended to wait the arrival of Philip, in order to colour their design of rising with a plausible pretext, and render it popular; which was not hard to be done, as the inquisition and arbitrary power were dreaded by many.

Wyat being obliged to alter his measures, resolved to push forward his design, though he was yet unprepared; therefore, repairing to Maidstone with a handful of men, he gave out that he took up arms in order to prevent the invasion which then threatened England. He then marched to Rochester, from whence he writ to the sheriff to ask assistance: but the sheriff was so little disposed to espouse his cause, that he commanded him to lay down his arms, and gathered forces in order to oppose him.

The queen was greatly alarmed at this rebellion, being disappointed with means to dissipate it, as the queen had dismissed her forces when she apprehended herself to be in a state of security. She therefore thought it advisable to send a herald to Wyat with an offer of full pardon to himself and followers,

followers, provided they would lay down their arms in twenty-four hours. But this offer he rejected.

The court being thus taken at unawares, was obliged to put the duke of Norfolk at the head of six hundred of the city trained bands, under the command of an officer named Bret. While these preparations were making, the sheriff of Kent, as he was going to join the duke of Norfolk, met with and defeated Knevel, who was on his way to join Wyat, and killed sixty of his men.

This ill success so alarmed Wyat, that he had already formed a resolution to consult for his own safety, when an unexpected accident inspired him with fresh courage. Sir George Harper, one of his adherents, pretending to quit his party, went to the duke of Norfolk, and so wrought upon the trained bands, that they all came over to the cause of the rebels, and, by unanimous consent, left the duke to join Wyat.

With this reinforcement and the other forces, which made in all a body of four thousand men, Wyat put himself upon a march for London. He met near Deptford two envoys from the queen, who, in her name, demanded of him what it was he desired. He required that the Tower and the queen's person should be put into his hands, and a change made in the council according to his directions.

This unreasonable demand being rejected, the queen repaired to the place in the city where the magistrates held their assemblies, and acquainted them with the answer she had received from Wyat. She then spoke of her marriage, and told them she had not taken a single step in that affair without the knowledge and advice of her council. In conclusion, to give them a proof of the confidence

she repos'd in them, she resolv'd to continue in the city, though many advis'd her to withdraw to the Tower.

In the mean time, Wyat continued his march and reach'd the borough of Southwark on the third of February, expecting to enter the city without any difficulty. But the bridge being well secured by works and guards, he was oblig'd to march by the river side up to Kingston, which is ten miles above London. Here he found the bridge broken, and spent some hours in repairing it. He then pass'd to the other side with his army, which consisted of near six thousand men. He then held on his march to London, and, after some time thrown away in repairing one of his broken carriages, he reach'd Hyde-Park about nine in the morning on the fifth of February.

By thus wasting his time in repairing the carriages, he lost the whole fruits of his enterprize; for in that interval Harper, who had been so serviceable to him in gaining over the trained bands, desert'd; and going directly to the court, inform'd it of his intentions to cross Westminster, and enter the city by Ludgate. This advice came seasonably to the earl of Pembroke and lord Clinton, who, at the head of some troops, resolv'd to engage him as he enter'd the city: but, perceiving that he entangled himself in the narrow streets, where he could not extend his front, they thought it better to let him pass, after orders given to shut the gate through which he design'd to enter.

Wyat being still mislead by a persuasion that the citizens wish'd well to his undertaking, left his cannon under a guard at Hyde-Park, and entering Westminster pursu'd his march through the Strand in his way to Ludgate. Care was taken to block  
up



## THOMAS WYAT. 7

up the way behind him, and render his retreat impracticable by fortifications thrown across the streets, and guards placed at all the avenues.

He believed himself now upon the point of reaping the fruits of his undertaking, when, to his great mortification, he found the gate into the city shut against him. He then first discovered his error, and, perceiving that it was impossible to retire, his resolution quite forsook him. As he was endeavouring to return, a herald at arms came to him, and exhorting him not to throw so many lives away as he must unavoidably by attempting to resist, he surrendered quietly. and was sent to prison.

This unfortunate man, whose abilities must certainly have been weak, foolishly imagined, without having any ground for his assurance, that the city of London would declare in his favour, and so ran upon his own destruction. If he had previously taken proper measures, the queen and her ministers would have been greatly embarrassed upon the occasion, as the government, notwithstanding its weakness, had already made itself a considerable number of enemies. But the failing of this enterprize so confirmed the authority of the queen, that, from this time, she met with no more resistance.

After Wyat surrendered, his men dispersed, and were taken at pleasure, so that the city prisons were soon filled with them.

While Wyat was busy in Kent and London, the duke of Suffolk had made but small progress in the county of Warwick. He might have even escaped suspicion, had not an express sent to him by Wyat been seized in his journey. He was to have informed him of the reasons which had obliged Wyat  
to

T H E  
L I F E   A N D   D E A T H  
O F  
N I C H O L A S   R I D L E Y .

**T**HIS pious and learned martyr was born, of an ancient and worthy family, at Willymondswyke in Northumberland. He received the first rudiments of learning at Newcastle upon Tyne; and academical at Cambridge, till he was batchelor of arts. He afterwards went to Oxford, where he was elected fellow of the university-college in 1521: but he soon returned to Cambridge, where he became doctor of divinity, and master of Pembroke-hall.

He was made chaplain to king Edward VI. consecrated bishop of Rochester in 1547, and translated to London on the deprivation of Bonner in 1549: but he died in the flames at Oxford in 1555.

Ridley, of all the reforming divines of that time, made the nearest approach to the church of England in her present purity of doctrines and discipline. His notions of ecclesiastical polity were high, but in general just; and, in the œconomy of the church, he allowed an equitable regard to the authority of the state. He saw, and avoided, but could bear with the errors of all parties among the reformed; while the dignity, the affability, and the modesty of his behaviour, procured him a general esteem with all ranks of men.

The

this rebellion; and his greatest grief was, that he had, by engaging in it, occasioned the death of his beloved daughter Jane Grey.

Wyat's turn came next. When he was brought before his judges, he offered to make great discoveries if his life might be saved. He accused even the princess Elizabeth and the earl of Devonshire, as accomplices in his conspiracy. This did not prevent his sentence, but only gained him a respite of two months before his execution, in hopes of drawing some important discovery from him.

However, sir Thomas Wyatt, as he had accused Elizabeth, and the earl of Devonshire, merely in hopes of his own pardon, finding that he must die, acquitted them fully at his second examination; and, for fear of having his second declaration suppressed, he renewed it at the place of execution.

As no other proof was alledged against them, and their accuser himself had acquitted them in the agonies of death, no process could be formed against them, though Gardiner, by whom the queen was then guided in every thing, passionately wished the death of the princess.

The behaviour of sir Thomas Wyatt can by no means be extolled as noble or generous, since he persisted in his accusation of innocent persons till he knew it could avail him nothing. However, his relenting at last, sufficiently proves, that there are no characters so bad as not to have a mixture of good in them; or, as Mr. Pope elegantly expresses it,

Virtuous and vicious every man must be;  
Few in extreme, but all in the Degree.



11d      The LIFE and DEATH of

THE  
LIFE AND DEATH  
OF  
NICHOLAS RIDLEY.

**T**HIS pious and learned martyr was born, of an ancient and worthy family, at Willymondswyke in Northumberland. He received the first rudiments of learning at Newcastle upon Tyne; and academical at Cambridge, till he was batchelor of arts. He afterwards went to Oxford, where he was elected fellow of the university-college in 1521: but he soon returned to Cambridge, where he became doctor of divinity, and master of Pembroke-hall.

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The



## NICHOLAS RIDLEY. 11

The church of Rome had laid such a stress on the indispensable necessity of the sacraments, that the people were taught to believe, that, by the very action itself, without the inward grace and disposition of the mind, they were sufficient to justification, unless the receiver himself prevented their effects ; and this seems to have given rise to the homilies about justification. If the reformers who opposed this notion, and who thought that men were justified by the internal acts of the mind, had stopped here, the controversy would have been managed much more advantageously, which was in a great measure lost by descending to unscriptural and minuter subtleties. Public disputations were held in both universities, between the reformers and the papists, concerning the real presence of Christ in the sacrament. Ridley was sent to Cambridge, with some other delegates, where a disputation was held, for three days together, to prove, that transubstantiation was not contained in the plain and manifest words of scripture, nor could necessarily be collected from it, nor confirmed by the consent of the ancient fathers ; and, that there is no other sacrifice and oblation in the Lord's supper, than of a remembrance of Christ's death, and of thanksgiving.

The debate was summed up with a great deal of temper and learning by bishop Ridley, in a strong determination against the corporal presence. The truth is, he was then master of the subject more than any man of the age ; for, having met with a book of Bertram's in the ninth century, in which he who was much esteemed, had confuted this notion of the presence of Christ's real flesh and blood in the sacrament, the bishop concluded that it was not the primitive doctrine of the church,

but had been introduced, with other errors and superstitions, in the later centuries.

He communicated this discovery to his friend archbishop Cranmer, and they set themselves to examine it with more than common care; making great collections out of the fathers, and other ancient writers, to prove the novelty and the absurdity of the opinion. They shewed, that all the high expressions which were to be found in Chrysostom, and other ancient writers on this subject, were only metaphors and flights of eloquence, to raise the devotion of the people in this holy ceremony; though the following ages had built their opinion on these expressions, and were disposed to believe every thing the more readily as it appeared more incredible and extravagant.

But this opinion of the real presence having been so generally received in England above three hundred years, these eminent reformers proceeded gradually in discussing it, that the people might be better disposed to receive what they intended afterwards to establish.

Ridley assisted Cranmer in the first edition of the Liturgy, or Common-prayer, which was published in 1548. He was ranked with Cranmer, Hooper, and Ferrars, among those called the zealous protestants, in opposition to Gardiner, Tunstal, and Bonner, who were called zealous catholics.

Ridley printed the injunctions which he had set forth for the visitation of his diocese; and they clearly shew the progress that the reformation had made in England. They particularly enjoined, that none should receive the communion, but such as should be ready with meekness to confess the articles of the Creed when required by the curate. That the Homilies should be read orderly, with-  
out

out omission of any part thereof; and, that the Common-prayer be read, in every church, upon Wednesdays and Fridays. That none should maintain purgatory, invocation of saints, the six articles, bead-rolls, pilgrimages, relics, rubrics, primers, justification of man by his own works, holy bread, psalms, ashes, candles, creeping to the cross, hallowing of fire, or altars, or such like abuses.

The king's end was visibly approaching, and bishop Ridley preached before him towards the latter end of his sickness. The bishop insisted much in his sermon on the good effects of charity; and the king was so affected with what he said, that immediately after the sermon he sent for the bishop, whom he commanded to sit down and be covered. His majesty resumed the heads of the discourse, and said his lordship must give some directions how he might acquit himself of his duty. The bishop, astonished at so much tenderness and sensibility in so young a prince, burst into tears; but desired time to consider of the particular channel in which the royal charity should be directed; and, that the king would give him leave to consult with the lord-mayor and aldermen about it. His majesty accordingly wrote them a letter by the bishop, who returned to him with a scheme of three foundations; one for the sick and wounded, another for such as were wilfully idle or mad, and a third for orphans; and his majesty endowed St. Bartholomew's hospital for the first, Bridewell for the second, and the grey-friars church for the third.

The king died in 1553, and was succeeded by his sister Mary, whose reign was polluted with the blood of martyrs, of whom Ridley was one of the chief. He was at the beginning of her reign sent to the Tower.

The queen released Gardiner and Bonner out of the Tower, and employed them to pull down the reformation. The mass was restored, the protestants inhumanly persecuted, and several laws enacted for re-establishing popery. The parliament revived the statutes against heresy; and the queen commissioned Gardiner, as her bloody instrument, for the extirpation of what she called heresy. He was particularly ordered to clear the churches of all married bishops and priests; in consequence of which, four bishops were deprived for marriage, as also three for preaching erroneous doctrines; and, of sixteen thousand of the inferior clergy then in England, twelve thousand were turned out for having wives.

As Gardiner was forcing the protestants into the pale of the Romish church, he began with exerting his rage against the bishops, and the most eminent divines. The bishops Ridley, Latimer, Hooper, and Ferrars, were all imprisoned, and all suffered martyrdom: which caused an universal consternation, and the popish bishops themselves seemed ashamed of these barbarities.

The convocation was adjourned, and removed to Oxford, that the dispute with the protestant divines might be held before the whole university. To give a colour of justice to this conference, archbishop Cranmer, Ridley, and Latimer, were removed from the Tower of London to the prison at Oxford, where they were ill accommodated, denied the convenience of their books and papers, the conversation of each other, and any mutual assistance in the conference; for each was to have his day separate from the others.

To these three prelates, under such disadvantages, a committee from the convocation and the two universities were to be opposed.

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The queen sent her precept to the mayor and bailiffs of Oxford, to bring the prisoners into the public schools at the times appointed for the disputations; calling Ridley a doctor, and Latimer only clerk. It was intended to expose these three great prelates to insolence and abuse.

It is the remark of Fuller, that, "This disputation was intended as a preparative, or prologue, to the tragedy of these bishops' deaths; as it were to dry their bodies the more afore-hand, that afterwards they might burn the brighter and clearer for the same."

The government and clergy are charged with the most execrable cruelties. The queen was married to Philip of Spain, and imagined herself pregnant; but she declared she could not be delivered till the heretics, who now filled all the jails about London, were burnt; while the clergy and council of England were to be the executioners of the bloody purpose.

Commissions for trying Ridley, Latimer, and Cranmer, were directed to three bishops and several others: but the imprisoned prelates, at their different appearances, refused to acknowledge the papal authority. Cranmer was brought out first before the committee. The next was Ridley, who began with a solemn declaration, that, though he was once of another opinion than what he was at present, yet he had not changed it upon any worldly considerations, but merely for a love of truth; and, since it was the cause of God he was now to maintain, he protested that he would have leave to add to, or alter, any argument, as he should see cause for it; and desired he might be permitted to speak without interruption. All this was promised him, but not complied with; and, though the committee assailed him by turns, even

sometimes four or five at once, he maintained his ground, till the prolocutor put an end by saying, " You see the obstinate, vain-glorious, crafty, and " inconstant mind of this man ; but you also see " the force of truth cannot be shaken ; therefore, " cry out with me, Truth has the victory."

The three bishops were adjudged to be obstinate heretics, and declared to be no longer members of the church : to which they all objected. Ridley told the commissioners, " That, although he was not of their company, yet he doubted not but that his name was written in another place, whither this sentence would send him sooner than by the course of nature he should have gone."

The prisoners were then parted, and conducted to their respective prisons : where Ridley wrote a letter to the prolocutor, complaining of the noisy and irregular manner with which the dispute was carried on ; wherein he had not the liberty of making a full defence, nor of urging his arguments at length, being overpowered with clamour, and the indecent abuse of four or five opponents at a time : he desired, however, that he might have a copy of what the notaries had set down ; which was not granted.

Ridley and Latimer refused to recant, or to renounce their reason upon the unintelligible jargon of a popish eucharist, the common watch-word for murder in those days ; and they were to be delivered over to the secular arm. The bishops of Gloucester, Lincoln, and Bristol, were sent to Oxford to proceed against them.

When the commission was read, and it appeared that the judges proceeded in the name of the pope, Ridley put on his cap, and refused to pay any reverence to those who acted by such a commission. Latimer also protested against the papal authority ;  
and,

and, being both accused of the opinions which they had maintained in the public schools a year and a half before, were allowed till the next morning to consider, whether they would retract or persevere in them. Both adhered to the answers they had already made, and the next morning they were pronounced guilty of heresy, degraded from priests orders, and consigned over to the secular magistrate to be punished.

Great attempts were made on Ridley, to persuade him to accept of the queen's mercy ; which he refused, and a warrant was sent down for the execution of him and Latimer.

They suffered on the sixteenth of October, 1555, on the north side of Oxford, in the ditch opposite Baliol-college.

When they came up to the stake, they embraced each other with great affection ; and Ridley, with an air of pleasure, said to Latimer, " Be of good heart, brother ; for God will either assuage the fury of the flame, or else enable us to abide it."

They were not permitted to speak, in answer to a long sermon preached by Smith, unless they would recant. To this Ridley replied, that he would never deny his Lord, nor the truths of which he was persuaded, but " God's will be done." He said he had received fines when he was bishop of London for leases which were now voided, and desired that the queen might give order, either that the leases might be made good, or the fines restored to the tenants out of the effects he had left behind him, which were more than sufficient for that purpose.

After this, they were ordered to fit themselves for the stake ; some gunpowder was hanged about their bodies to hasten their deaths ; and the fire was put to the wood. The powder took fire with the  
first



first flame, which instantly put Latimer out of his pain: but there was so much wood thrown on the fire where Ridley was, that the flame could not break through it; so that his legs were almost consumed before it was observed; and then, a passage being made to the flame, it put an end to his life, in the fifty-fifth year of his age.

The station which both these martyrs had held, the regularity of their lives, the mildness of their tempers, their age, and their behaviour at the stake, raised great commiseration in the spectators, and sent them home greatly displeased with those who had brought them to this end.

Ridley's fine genius, and his great improvements in all branches of literature necessary to a divine, gave him the first rank in his profession; and his life was answerable to his knowledge. He was of an easy obliging temper; and, though he wanted not a proper spirit to support his character, or to do himself justice against the great and powerful, yet he was always ready to forgive any injuries or offences. His zeal for religion did not shew itself in promoting severities against those who differed from it; but in diligently explaining the articles that were misunderstood, and shewing their foundation in scripture and antiquity. The greatness of his mind was not only shewn in the candor and charity of his sentiments; he did good offices for those who differed from him; he was a great benefactor to the poor; he expended his revenue in a way becoming a bishop; he maintained and treated Heath, the deprived bishop of Worcester, for a year and half, in the same splendor as though Fulham-house had been his own; and Bonner's mother, who merited nothing on her own account, dined always there at the table with him, whilst her son was in the Tower.

The

The reformation was greatly indebted to his zeal and learning while he lived, as well as to his courage and constancy at his death; for, of all who served the altar of the church of England, he bore, perhaps, the most useful testimony, both in life and death, to her doctrine.

He received his learning at Cambridge, Paris, and Louvain. He was a person small in stature, but great in learning, and profoundly read in divinity. Among several things that he wrote, were these: "A Treatise concerning Images, not to be set up, nor worshipped in churches. A Brief Declaration of the Lord's Supper. A Treatise on the Blessed Sacrament. A piteous Lamentation of the miserable State of the Church of England, at the Time of the late Revolt from the Gospel. A Comparison between the comfortable Doctrine of the Gospel, and the Traditions of Popish Religion." He was concerned in compiling the Common Prayer-Book; as also disputations and conferences about matters of religion.



T H E  
L I F E   A N D   D E A T H  
O F  
H U G H   L A T I M E R.

**T**HIS extraordinary person was bred up at Christ's-college at Cambridge; and, at his first setting out in the world, had a strong opinion of a monastic life. He had always been in earnest with his religion: but having been disengaged from the prejudices of education, by some of those who were burnt for heresy in the reign of Henry, he made further advances in the doctrines which were not then established.

Latimer was cross-keeper in the university of Cambridge, and carried it, on procession-days, till he was converted by Thomas Bilney, fellow of Trinity-hall, who was martyred in the year 1531. Latimer himself says, " Master Bilney, or rather  
" St. Bilney, that suffered death for God's word  
" sake, the same Bilney was the instrument whereby  
" God called me to knowledge: for I may thank  
" him, next to God, for that knowledge that I  
" have in the word of God; for I was as obstinate  
" a papist as any was in England; insomuch that,  
" when I should be made batchelor of divinity, my  
" whole oration went against Philip Melancthon,  
" and against his opinions. Bilney heard me at that  
" time, and perceived that I was zealous without  
" knowledge, and came to me afterwards in my  
" study, and desired me, for God's sake, to hear  
" his

“ his confession. I did so ; and I learned more  
 “ than afore in many years : so, from that time for-  
 “ ward, I began to smell the word of God, and for-  
 “ sake the school-doctors, and such fooleries.”

Bilney so wrought on Latimer, that, of almost  
 a persecutor, he became a zealous promoter of the  
 truth ; and, in 1527, he preached his sermon,  
 “ Of Cards,” on the question of the priests to the  
 Baptist, “ Who art thou ?” These words were  
 part of the gospel appointed for the day, and was  
 adapted rather to the time than the text ; for it was  
 the Sunday before Christmas ; and he conformed his  
 discourse to the playing at cards, making the heart  
 triumph, and exhorting all to serve God in sin-  
 cerity and truth, not in the pompous parade of  
 ceremonies, traditions, pardons, pilgrimages, vows,  
 devotions, and other superstitions. The whole  
 was a severe reproof of the friars, who felt the  
 wound, which was afterwards embittered, when  
 they saw Latimer promoted to the bishopric of  
 Worcester, in 1553, by the interest of queen Anne  
 Bullen, who had made him her chaplain.

Latimer preached the Latin sermon before the  
 convocation in 1536 ; and his text was, “ The  
 “ children of this world are, in their generation,  
 “ wiser than the children of light.” He was the  
 most celebrated preacher of that time ; the sim-  
 plicity of his matter, and his zeal in expressing it,  
 being preferred to more elaborate composers.  
 The lower-house complained of some bishops, who  
 were wanting in their duty to suppress abuses ;  
 which was understood as a reflection on Cranmer,  
 Shaxton, and Latimer.

In 1538, bishop Latimer preached a sermon  
 near the gallows, when John Forest was executed  
 for denying the king's supremacy. When the  
 great monasteries were resigned to his majesty, La-  
 timer

timer pressed Cromwell earnestly, that two or three houses in each county, might be reserved, for preaching, study, and prayer: but, when the act of the six bloody articles was put in execution, Latimer had the special favour to save himself by losing his bishopric, which he resigned in 1540, instead of complying with an act that, by extensive interpretations, was made commensurate to the whole body of popery. He was presented for some words spoke against the six articles, and was then imprisoned in the Tower with bishop Shaxton, where he lay till the king's death set him at liberty in 1547; and, in 1550, he preached at court before Edward VI.

When Henry VIII. tyrannically attempted to force his own religion upon his subjects, Latimer found that he could not have the freedom of his conscience, and the possession of his see; therefore he resigned the latter voluntarily, without being required so to do. He might have been restored in the time of Edward, but he chose to live in a private station with archbishop Cranmer at Lambeth, and to lay out all his time in preaching in different places.

Latimer may be looked upon as the Cicero of the pulpit. His zeal and sincerity inspired him with figures of speech, to which learning and study cannot rise. An honest enthusiasm gave his tongue eloquence; a primitive freedom gave his eloquence conviction. His sermons were plain, but pointed; no vice was placed so high that he would not attack. He was sarcastic, but the times required it; he had vehemence, but it was well conducted. His discourses were directed rather to the reformation of manners, than to the controversies of religion. He practised all he preached. In his reproofs he knew no reserve; in his reproaches

proaches he indulged no spleen ; for he never used the former, but where vice was corrigible ; nor the latter, but where it was pernicious. He was a friend to the crown and the people, averse to the tyranny of the nobles, and indifferent about the claims of the clergy. “ In short, he could have lived quiet and content under any constitution, either of church or state, where the administration was vested in a man of virtue.”

He arraigned the vices of the great in a sermon at court before king Edward, with a freedom which became his character. He had nothing to fear from that religious prince ; and, as he had nothing to lose, the power of the courtiers had no terrors. He took great care of his diocese, while he exercised the episcopal office ; giving a noble example of hospitality, benevolence, and a contempt of riches ; for which much greater churchmen, both in his own days and since, have not been so eminent. “ In short, Latimer, with a moderate share of learning and abilities, was a much greater man, a much better Christian, and a much worthier bishop, than many of his order, who have shone with a greater lustre.”

One of the last sermons king Edward heard, was preached before him by Latimer, when their party began to increase who opposed the Liturgy. He particularly mentioned Thomas lord Seymour, of whom he said, “ He was, I heard say, a covetous man, a covetous man indeed : I would there were no more in England. He was, I heard say, an ambitious man ; I would there were none in England. He was, I heard say, a seditious man, a contemner of common prayer : I would there were no more in England. Well ! he is gone, I would he had left none behind him.”

At

## 24 The LIFE and DEATH of

At this time he was so far advanced in years, as to be distinguished by the name of "Old Latimer;" and he openly preached, with great severity, against the outrageous spoil of the goods of the church without law or order. Cranmer and Ridley also delivered their consciences very freely on that head: but they were not able to stem the torrent of licentiousness and corruption, which had deluged the land in such a manner, as if irreligion had been the consequence of forsaking confession, penance, and the ceremonies which had been practised.

The bishops and clergy, generally speaking, did not a little contribute to this degeneracy; several among the former, and the greatest part of the latter, being still papists in their hearts, and complying only externally with the reformation to preserve their benefices, not only neglected the pastoral care, but set the people against it in its present model, and were rather well pleased that there was so much, and such great disorder.

When Mary was crowned, the protestant preachers were imprisoned. Archbishop Cranmer was sent to the Tower, where Latimer was also committed at the same time; and scarcely any bishop or preacher, who had signalized himself for the reformation, and did not either recant, or fly beyond sea, escaped either deprivation or imprisonment, or both.

England was now adorned with flowers and fillets woven by the hands of priests; and brought, like a heedless victim, to their altar, on which she was to pour out her warmest blood, that of her liberty and religion. But the blood of the martyrs proved to be the seed of the church; and their sufferings made more converts than their sermons had done.

Cranmer,

Cranmer, Ridley, and Latimer, were sent to Oxford, to seal the faith with their blood, in the presence of the whole university.

Latimer had shewn a generous contempt for preferment, Ridley for money, and both of them for life. When Latimer was deprived of his bishopric on account of the six articles, he was succeeded by Nicholas Heath, who was legally deprived by Edward VI. but Latimer would not accept of his see again, knowing Heath to be of a meek and moderate nature; and it was conferred upon Hooper, who held it in commendam with his see of Gloucester; because Latimer and Heath were both surviving, and were each accounted a lawful bishop by those of their own religion. Hugh Latimer continued Hugh Latimer, without any addition of title or preferment; but he was in civility saluted as other bishops, and honoured by all good people, who considered him "as confessor-general to all " protestants troubled in mind; and he was the " treasury, into which restored ill-gotten goods " were cast, to be bestowed upon the poor, according to his discretion."

Latimer was warm and sincere in whatever he professed. Gardiner and Bonner knew him too well to expect any advantage to their cause by his sufferings. The messenger, therefore, who was sent to summon him first before the commissioners, had no orders to apprehend him and left him at his own liberty. But the old man did not think his life of such value, as to put himself to the trouble of stepping out of the way of death. Accordingly he surrendered himself, and put the prelates under a necessity of giving him a crown of martyrdom. For " the good old man, conscious " of his innocence, and disengaged entirely from " the world, surrendered himself up, and freely  
Vol. II. C " laid



“ laid down his life, when the cause of God required it.”

I have mentioned, in the life of Ridley, how that prelate and Latimer were brought to their trials before three bishops at Oxford, who pronounced them guilty of heresy, and condemned them to be burnt. Notwithstanding cardinal Pole, as the pope's legate, stiled both Ridley and Latimer bishops in the commission, and directed their degradation, in case of obstinacy, from that character; yet the delegates would allow neither of them to be more than a priest.

The condemned prelates refused to recant; and a warrant came down for the lord Williams, and the burghers, to attend their execution. As they were leading out to the stake, they looked up to Cranmer's prison, in hopes to have seen him, and bid him adieu; but the archbishop, being engaged in a dispute with some friars, forgot to appear at the window when they were passing by: recollecting himself, however, soon after, he went to the top of his prison, and looking at them with great tenderness, kneeled down, and prayed fervently, that God would strengthen their faith and patience in that last but dreadful suffering.

Latimer's grey hairs added a veneration to his person, and Ridley's character excited pity for his fate. They went to the stake like brothers in the same cause; they were lovely in their lives, and in their death they were not divided. When they had prayed, and were undressing themselves at the stake, Latimer comforted his fellow sufferer, saying, “ That they two should that day light such a candle in England, as he trusted, by God's grace, would never be put out.” Latimer's withered body soon yielded up his soul in the flames; but Ridley's more vigorous constitution, joined to the

the unskilfulness of his executioners, rendered his martyrdom painful and lingering.

Thus died these two excellent bishops, on the sixteenth of October, 1555: the one, for his piety, learning, and solid judgment, the ablest man, next to Cranmer, of all who had advanced the reformation: and the other, for his zeal, his diligence in the pastoral office, and the plainness and integrity of his life, esteemed a true primitive Christian, who had more of the simplicity of the first ages, than of the politeness or learning of later times.



T H E  
L I F E   A N D   D E A T H  
O F  
J O H N   H O O P E R.

**T**HIS great divine, who was born in 1495, was a native of Somersetshire, and received his academical education at Merton-college in Oxford, where he was sent in 1514, and placed under the tuition of his uncle John Hooper, who was made master-fellow of that house in 1513, and was also principal of St. Alban's-hall. In 1518, John Hooper, the nephew, was admitted batchelor of arts, which was the highest degree he took in this university; and, about the same time, completed it by determination. What became of him after is not exactly known; but it is reported, that he was of the number of Cistercians, commonly called white monks, and continued so for years, till he grew weary of a monastic life, and returned to Oxford, where he was converted to Lutheranism by books brought from Germany, and soon became a zealous protestant.

In 1539, when the statute of the six articles was put in execution, he left Oxford, and got into the service of sir Thomas Arundel, a Devonshire gentleman, to whom he became chaplain and steward of his estate. This gentleman was a very catholic knight, and was afterwards put to death with the protector in the reign of Edward VI. He soon discovered that Hooper was a protestant, who  
thereby

thereby lost his protection, and was obliged to fly into France, where he continued some time among the reformed, till his dislike of some of their proceedings made him return to England.

On his arrival in his native country, he lived with a gentleman named Seintlow, where he became known, and was sought after to be apprehended. Upon this he disguised himself like a sailor, and went to Ireland, from whence he went to Holland, and so on to Switzerland. Bullinger was then at Zurick, where he succeeded Zuinglius in the chair. He had been obliged to forsake his country on account of religion, and therefore gave a very friendly reception to Hooper, who was remarkable for his knowledge in the Greek and Hebrew languages.

Edward VI. came to the crown in 1547, and Hooper came to England again, when he settled in London, where he frequently preached to the people on several reformed doctrinal heads, and particularly against pluralities. He had a great mildness of temper, and was much regarded by all the party of the reformed, who inclined to a parity of church-government. His abode in foreign parts, where reformation bordered too much upon leveling principles, had brought him into a train of thinking no way favourable to church discipline. He made the avoiding superstition a matter of conscience; but he run into the very extreme he shunned, by his zeal to avoid it; for he superstitiously declined usages which he owned to be indifferent in themselves, only because they became important through the injunctions of superiors: however, it will appear that he was flexible in those points, and that he could comply when he found the government was not to be trifled with. He

agreed perfectly well with Cranmer and Ridley in the main doctrines of the reformation, and in zeal to promote it; yet they appear to have been very apprehensive of his principles.

Hooper was a worthy conscientious man. In his life he was blameless; but somewhat too neglectful of those appearances, which are requisite for giving reverence to power, either civil or ecclesiastic, in the eyes of the people, who see no farther than exteriors. He was a person of good parts, and well versed in the learned tongues: he was a good philosopher, but a better divine, had not his principles been too rigid in dissenting from the church of England, as appointed by Edward VI.

He was now appointed chaplain to the duke of Somerset, and, perhaps, was more severely treated on that account, when his great patron lost the protectorship. In 1549, he became an accuser of Bonner, when he was to be deprived of his bishopric, which made him fare the worse when queen Mary came to the crown.

After Hooper had practised himself in his popular and common kind of preaching, he was called to preach before the king, who, in 1550, made him bishop of Gloucester, and about two years after he had the bishopric of Worcester given to him to keep in commendam with the former. The earl of Warwick recommended Hooper to this preferment, as a man who had all those virtues and qualities required by St. Paul in a good bishop, in his epistle to Timothy. But Hooper, having resided in Switzerland, and imbibed some odd notions there, was the means of introducing those disputes about things indifferent, which have produced since that time such fatal consequences in the church.

It

It was customary to wear such garments and apparel as the popish bishops used; first a chymere, and under that a white rochet; then a mathematical cap with four angles, dividing the whole world into four parts. The most sensible men are not without their weakneses and whims. Hooper was a man of learning, and of parts; but he had taken it into his head, that, as these sacerdotal vestments were mere human inventions, brought into the church by custom or tradition, and invented chiefly for celebrating the mass, and consecrated for that use, so they were therefore among the ceremonies condemned by St. Paul as beggarly elements.

In answer to this, it was told him, by archbishop Cranmer, and bishop Ridley, that, though tradition, in matters of faith, was justly to be rejected; yet, in rites and ceremonies which were indifferent, custom alone was a good argument for the continuance of that which had been long used. The archbishop therefore required Hooper to conform himself to the law; but he obstinately refused a rochet, and Cranmer refused to consecrate him without it.

The earl of Warwick, who was then in the highest credit at court, wrote a letter to the archbishop, desiring him not to insist upon these ceremonies from the bishop elect of Gloucester; nor to charge him with an oath burthenome to his conscience.

It is said by some writers that this was the oath of supremacy; but others, with more reason, conceive it the oath of canonical obedience to the archbishop, which therefore consequentially commanded such ceremonies as Hooper was willing to decline; for it is improbable that the king would dispense with any person from taking the

oath of supremacy, wherein his own dignity was so nearly concerned.

Warwick also prevailed on the king to write a letter to Cranmer in favour of Hooper, wherein his majesty told his grace, "That he had chosen Hooper to be bishop of Gloucester, as well for his great learning, deep judgment, and long study, both in the scriptures, and other profound learning; as also for his good discretion, ready utterance, and honest life for that kind of vocation. "From the consecrating of whom," says the king, "we understand you do stay, because he would have you omit, and let pass, certain rites and ceremonies offensive to his conscience, whereby ye think, you should fall in præmunire of laws: we have thought good to dispense, and discharge you of all manner of dangers, penalties, and forfeitures, you should run into, and be in any manner of way, by omitting any of the same."

This letter was dated the fifth of August, 1550, and was signed by Somerset, and five other lords of the council: but Cranmer insisted that Hooper should conform himself in all points, and denied him the liberty of the pulpit, while the council confined him to his house. Cranmer consulted Bucer and Martyr upon this occasion, who were also consulted by Hooper.

Hooper continued strong in his prepossession, and many arguments were urged on both sides, which later ages have more amply enlarged and explained. Hooper then published a confession of his faith, in which he complained of the privy-council. Upon this he was committed to the custody of the archbishop, who used all his endeavours to bring Hooper off from his singularities, but without effect. His grace then informed the

the council, that his prisoner was not content with his nonconformity, but had offered to prescribe rules on this head to the public; whereupon the council ordered his grace to send him to the Fleet, and he continued there till the next year.

This extraordinary severity of the council towards so eminent a divine, is a proof, that each party took its opportunity of persecuting its enemies, as occasion presented, or was taken from their non-compliance with the new system of parliamentary religion.

At last the earl of Warwick deserted his chaplain; and the affair of Hooper, which had slept from August to March, whilst he remained in the Fleet, was resumed. He was brought before the council, to explain himself upon the difficulties which he had started. The objection he made to the oath was, the "swearing by God, the saints, and the holy gospels," when none but God himself ought to be appealed to in an oath. Upon this the king struck out these words with his own hand, and allowed that no creature ought to be sworn by. As to the point about the vestments, it was compromised on these conditions: he was to wear the episcopal habit which was prescribed when he was consecrated, and when he preached before the king, or in his cathedral, and in any public place; and, on other occasions, he was dispensed with.

On these terms he was consecrated in the usual form; by which he lost much of the popularity he had gained with his declamation against the established rites. Both parties had violently contended about this matter, which was the means of introducing a contention into England that has been pernicious to the interests of religion and the church.

Thus



Thus Hooper was consecrated bishop of Gloucester, on the eighth of March, 1551, and then preached before the king in his episcopal habit. When he entered into his diocese, "he left no pains untaken, nor ways unsought, how to train up the flock of Christ in the true word of salvation, continually labouring in the same." He preached often, kept good hospitality for the poorer sort of people, and was beloved by all."

The see of Gloucester was looked upon as a poor pittance for so great a divine, and, on the twentieth of May, 1552, he was declared bishop of Worcester, in the room of Heath, who was then a prisoner in the Fleet, for refusing to assent to the book of ordinations. Hooper was permitted to hold Worcester in commendam with Gloucester, for which he was censured by the Papists. "But let such know, that the dioceses of Gloucester and Worcester lie contiguous; that many single bishoprics in England are larger than both, for extent in land and number of parishes; that Dunstan had the bishopric of Worcester and Lincoln with it, at the same time, being far more remote; that it is not the having two bishoprics together, but the neglecting of one, is the sin; whereas Hooper, in preaching and visiting, afforded double diligence in his double dioceses."

The compliance of Hooper with the established religion was, at this time, of great service to the public; but this plurality conferred upon one prelate, is a proof how far the government began to deviate from the strict maxim it had laid down, of not suffering a bishop to keep even a parsonage in commendam. Hooper made a very good use of his power. He visited both sees, and did vast services both to the church and state of England.

He made to the king a gift of deed of his bishopric of Gloucester, and of all the lands and annuities he enjoyed by the same. Soon after that bishopric was dissolved, or rather united with the see of Worcester, so that the jurisdiction of Gloucester ceased. In the act of his translation to Worcester, he was made bishop of the same, during his natural life, "provided he behaved so long well." But it is probable, the new bishop enjoyed only a small part of the revenues, considering the daily growing practice of courtiers begging for ecclesiastical revenues.

When king Edward died, in 1553, religion was subverted, and this good bishop was one of the first that was sent for by queen Mary to be at London, to answer Heath, the deprived bishop, and Bonner, bishop of London, for being one of his accusers. Hooper was seasonably advised to make his escape, but he was determined to bear the storm, and said, "Once I fled, and took me to my feet; now I will continue to live and die with my sheep."

He was brought up to London by a pursuivant in August, and was very opprobiously received by the bishop of Winchester, who committed him prisoner to the Fleet on the first of September following. He remained there several months, during which time he was often examined, and required to recant his opinions; but he stood constant and resolute to the articles of his faith.

Cranmer, Ridley, Latimer, and Ferrars, were also imprisoned. The archbishop of York, and the bishops of Bristol, Chester, and St. David's, were deprived of their bishoprics for having been married: The sees of Lincoln, Hereford, and Gloucester, were declared void, because those bishops

shops had misbehaved themselves. Thus were seven bishops turned out all at once, by an authority which the bigotted queen herself thought sinful and schismatical; and their sees were filled with men in whom she confided.

The council proceeded with vigour in matters of heresy, and removed Cranmer, Ridley, and Latimer, to dispute with some members of the convocation at Oxford, where they all suffered martyrdom.

There was a design of the same nature to be executed at Cambridge, over some other bishops and eminent clergy, who were in the several prisons of Newgate, the Fleet, and the King's-bench: but the prisoners set forth a declaration, signed by Hooper, Ferrars, Coverdale bishop of Exeter, and seven divines, that they would not dispute, unless in writing, except it were before the queen and her council, or one of the houses of parliament. To this declaration they added a summary of their belief; for which, they said, they were ready to offer up their lives to the halter or the fire, as it should please God to appoint. This prevented any farther public conferences in religion; and it was determined, to silence the protestants more effectually in another manner.

It would be disagreeable to particularize the numerous deprivations, hardships, expulsions, and imprisonments, which the protestant party, both clergy and laity, women as well as men, underwent. The government had the parliament on its side, and drove on as furiously as could be wished. Nothing was to be heard but declamations, from their most florid preachers, in favour of their religion. Nothing was to be seen in the streets, but pageants exposed by papists, and pillories

ories occupied by protestants; yet no pomp could amuse, no severity could damp the spirit of the people.

Gardiner cheerfully undertook to put the laws in force against heretics; but, as the people could not be intimidated by his threats, or wrought upon by his promises, the council sent for the most popular preachers that were in custody, to begin the severities upon them according to Gardiner's plan.

It was resolved that Hooper, as the most obnoxious to the government, if not the most popular in his own party, should be the leading sacrifice to popery. They called him before them on the twenty-first of January, 1555, and offered him a pardon by the name of John Hooper, clerk, not acknowledging him to have been a bishop, if he would confess his heresies and return to the church, which he absolutely refused.

Three articles were then exhibited against him, for marrying, for allowing a divorce and second marriage in the case of fornication, and for denying the corporal presence of Christ in the sacrament. Hooper owned himself guilty of the accusation, but offered to defend himself against all who should maintain the contrary. He behaved with all humility to the bishops, who treated him with the utmost insolence, and remanded him back to prison.

The two bloody bishops of London and Winchester had a personal animosity against Hooper, who behaved with all the constancy of a primitive martyr. He had kept up a correspondence with Bullinger, and others of the reformed abroad, to whom he sent his wife Anne, and her children; and he was at very little pains to conceal his sentiments, none having been more active, or more successful, than he was in the cause of reformation.

Bullinger

Bullinger wrote him a long letter from Zurick, dated the tenth of October, 1554, wherein he desires Hooper to commend him to the most reverend fathers and holy confessors of Christ, Cranmer, Ridley, and Latimer. He exhorts them all to be strong in the Lord, fight a good fight, and be faithful unto the end; as Christ was their captain, and all the prophets, and apostles, and martyrs, their fellow soldiers.

The commissioners had declared that Hooper ought to be deprived of his bishopric, and he was brought before them again, on the twenty-second of January, at the bishop of Winchester's house at St. Mary Overy's. He was then asked to acknowledge the pope to be head of the church; which he denied, as the pope taught a doctrine directly contrary to the doctrine of Christ: therefore he would not condescend to any such usurped jurisdiction; neither esteemed he the church, of which they call him head, to be the catholic church of Christ: "for the church only heareth the voice of her spouse Christ, and flieth the strangers."

He was commanded back to the fleet, and brought before the commissioners again on the twenty-eighth of January, together with Mr. John Rogers, vicar of St. Paul's. They were both examined, and sent away to be brought into court the next morning, to see if they would relent. They were conducted to the Compter in Southwark by the sheriffs of London; and Hooper said to Rogers, as they walked through the street surrounded by the populace: "Come, brother Rogers, must we two take this matter first in hand, and begin to fry these faggots?" Rogers answered, "Yes, sir, by God's grace." "Doubt not," replied Hooper, "but God will give grace."

The

The next morning they were brought again before the commissioners, who sat in judgment in St. Mary-Overy's church. Hooper would by no means condescend to the commissioners, who condemned him to be degraded, and ordered him to be carried to the Clink, a prison near the bishop of Winchester's house; from whence he was removed to Newgate the same night. The people prayed for him as he was guarded through the streets; and he was kept close prisoner in Newgate six days.

During this time, he was frequently visited by Bonner and his chaplains, who vainly endeavoured to make him a convert to their church. They offered him wealth and preferment, which he despised; and then they spread a report that he had recanted. This report soon came to his ears, at which he was greatly grieved; and, on the second of February, wrote a letter to disprove that false and malicious story; and, to assure the world, that he was more than ever confirmed in the protestant faith, saying, "I have taught the truth with my tongue, and with my pen heretofore, and hereafter shortly shall confirm the same by God's grace with my blood."

The bishop of London came to Newgate, and degraded Hooper, after reading the sentence of his degradation, wherein Hooper is called a presbyter, under the jurisdiction of the bishop of Winchester, by whose definitive sentence he was pronounced, "An open, obstinate, and incorrigible heretic;" and, as such, was to be degraded from his order, and for these demerits, to be delivered to the secular power. In degrading this blessed bishop, they proceeded not against him as a bishop, but only as against a priest, as they termed him;

him; for such as he was, these Balaamites accounted no bishop.

Rogers was degraded at the same time, and died a martyr in Smithfield: but Hooper was impolitically sent by the government to die at Gloucester, that the hearers of his doctrine might be the witnesses of his sufferings. By the order that was sent to burn him at Gloucester, the sheriff was directed to call in some of reputation in the county to assist at his execution; and because he was, says the order, "a vain-glorious person, as all heretics are," he was neither suffered to "speak at large in going to his execution, nor at the place, for avoiding further infection.

He was much pleased at being carried to Gloucester, that he might confirm with his death the truth which he had taught there in his life; not doubting, but the Lord would give him strength to perform the same to his glory.

On the fifth of February, before day-light, he was brought by the sheriffs from Newgate, to a place appointed near St. Dunstan's church in Fleet-street, where he was received by a body of the queen's guards, who were to carry him to Gloucester. He eat a hearty breakfast, and leaped cheerfully on horseback without help. On the seventh he arrived at Gloucester, where he found all the citizens assembled to see him, who cried and lamented his condition.

The next morning some of his friends were permitted to see him, among whom was sir Anthony Kingston, who found the good bishop at his prayers, and burst forth into tears, as he spoke in this manner: "I understand you are come here to die; but, alas, consider that life is sweet, and death is bitter; therefore, seeing life may be had, desire to live, for life here-  
" after

after may do good.' The bishop answered, " Indeed I am come here to end this life, and to suffer death, because I will not gainsay the former truth that I have taught in this diocese and elsewhere. I do not so much regard this death, nor esteem this life; but have settled myself, through the strength of God's holy spirit, patiently to pass through the torments and extremities of the fire now prepared for me, rather than deny the truth of his word."

The same night he was committed by the guard to the custody of the sheriffs of Gloucester, who, with the mayor and aldermen, attended him with great respect. He thanked them for their civility, and requested the sheriffs, " That there might be quick fire, shortly to make an end." He told them, " He was not come there as one compelled to die; for it was well known, he might have had his life with worldly gain; but, as one willing to offer and give his life for the truth, rather than consent to the wicked papistical religion of the bishop of Rome, received and set forth by the magistrates in England, to the high displeasure and dishonour of God; and he trusted, by God's grace, the next day to die a faithful servant of God, and a true obedient subject to the queen." He was not carried to the common jail of the city called North-gate, but lodged in the house of Mr. Robert Ingram, where he spent the night in devotion.

About eight the next morning, the commissioners appointed to see the execution came to the house; and at nine the bishop was brought down from his chamber by the sheriffs, and led to the stake between them like a lamb going to the slaughter. It was market-day, and about seven thousand people were assembled on the occasion, which made



him say, "Alas, why are these people here?  
 "Perhaps they think to hear something of me  
 "now, as they have in times past; but, alas!  
 "speech is prohibited me; notwithstanding the  
 "cause of my death is well known unto them.  
 "When I was appointed here to be their pastor,  
 "I preached unto them true and sincere doctrine  
 "out of the word of God; because I will not now  
 "account the same to be heresy and untruth, this  
 "death is prepared for me."

He was dressed in a gown of his host's; a hat on his head, and a staff in his hand to support him, as the sciatica, which he had contracted in prison, made him halt. The people mourned for him all the way, and he looked very cheerfully upon such as he knew. He frequently lifted up his eyes towards heaven as he passed along; and he was never known, since his being their bishop, to look with so lively and cheerful a countenance as he did at that time.

When he came to the stake, which was opposite the college of priests, where he was used to preach, he beheld the preparation for his death with a composed and smiling countenance. The place was surrounded with spectators, and the priests of the college were in the chamber over the college-gate. As the bishop was not permitted to speak to the people, he kneeled down to prayer, and beckoned to Mr. Bridges, whom he knew, to hear it, which he did with great attention, and reported that the prayer was made upon the whole Creed, wherein the bishop continued about half an hour, and declared his faith in the form of prayer. When he was in the middle of his prayer, a box was brought and laid before him on a stool, with his pardon from the queen, if he would recant. When he saw it, he cried, "If you love my soul, away with it;  
 "it

“ if you love my soul, away with it.” He was then permitted to proceed in his prayer, which he concluded in these words: “ Lord strengthen me with thy goodness, that in the fire I break not the rules of patience ; or else assuage the terror of the pains, as shall seem most to thy glory.”

When prayer was done, he prepared himself for the stake, and was undrest to his shirt, which he thrust between his legs, where he had a pound of gunpowder in a bladder, and under each arm the like quantity delivered him by the guard. A flood of tears burst from the eyes of all the spectators as he was fastened to the stake, from whence he directed the executioner where to place the fire, which was soon kindled ; but the wood burning ill, and the wind blowing away the flame that it did not rise up and suffocate him, nor destroy his vitals, he was for a long time in the utmost torment. He frequently called to the people, for the love of God, to bring him more fire ; which, though it was renewed, was prevented by the wind from putting him out of his misery, till he had been near three quarters of an hour in burning.

The account given by Fox of his long excruciating torments is terrible to hear, who says, he patiently bore the extremity of the fire, “ neither moving forwards, backwards, or to any side ; but having his nether parts burnt, and his bowels fallen out he died as quietly as a child in his bed ; and he now reigneth, as a blessed martyr, in the joys of heaven, prepared for the faithful in Christ before the foundation of the world : for whose constancy all Christians are bound to praise God.”

This learned and pious prelate was thus cruelly martyred, (like St. Polycarp, bishop of Smyrna, to whom he has been justly compared,) on the

ninth of February, 1555, and in the sixtieth year of his age.

✦ He wrote twenty-four books and treatises when in prison : besides, he wrote the Sacraments, the Lord's Prayer, and the Ten Commandments. His writings are mostly these : Answer to Gardiner's book, intitled, " A Detection of the Devil's Sophistry : A Declaration of Christ and his Office : Lesson of the Incarnation of Christ : Sermons on Jonas : A godly Confession and Protestation of the Christian Faith : Homily to be read in the Time of the Pestilence." All these were wrote from 1549 to 1553 : and he afterwards wrote, *Epistola ad Episcopos*, &c. An Exhortation to Patience, sent to his wife : Sentences wrote in prison : Comfortable Expositions on the twenty-third, sixty-second, seventy-third, and seventy-seventh Psalms : Annotations on the thirteenth chapter to the Romans : Twelve Lectures upon the Creed : Declaration of the Ten Holy Commandments of Almighty God : and he also translated Tertullian's second book to his wife, concerning the choice of a husband or wife.

The manner of his death being so very severe, very uncharitable reflexions were made upon it ; as though he who had kindled the fire of dissention about the vestments, had suffered thus uncommonly for that reason.

Ridley and Hooper were not fully reconciled till the reign of Mary, when Hooper had the honour to offer the first agreement, which Ridley embraced with a brotherly love, and several letters passed between them on that occasion. They acknowledged their mutual faults in carrying things of such little consequence to so great a length, and assured each other of their sincere love and affection. Happy would it have been for England,  
and

and much to the interest of religion, if the fires which consumed these pious men had put an end to such insignificant and idle contests! And, if those who have since embarked in them with a furious zeal, would reflect more on the sense which these good bishops had of them, when they were on the verge of another world, than on the heats into which they put them, when perhaps ease and plenty made their passions violent, it is probable they might be persuaded to a little more humility and moderation.



T H E  
L I F E   A N D   D E A T H  
O F  
THOMAS CRANMER.

**T**HIS most reverend prelate, and most exemplary martyr, was born on the second of July, 1489, at Aflacton, a village about five miles from Nottingham. His ancestors came in with William the Conqueror; and Cranmer-hall, in Leicestershire, was their ancient inheritance.

His father was Thomas Cranmer, who was possessed of a genteel fortune, and put his son to learn grammar of a parish-clerk, under whom he suffered much and learned little. At the age of fourteen he was sent to Cambridge, where he lost his time, till he was twenty-two, in the subtleties of the schools; but, after that time, he closely applied himself to the study of the best Latin authors till 1517, when Luther began to write against indulgencies, and expose the errors of popery.

He took his degree of master of arts, and was chosen fellow of Jesus-college; but the controversies in Germany induced Cranmer to study the holy scriptures, and all good writers, both new and old.

Henry VIII. wrote a book against Luther in 1522; at which time, Zuinglius was establishing his doctrine in Switzerland. This made Cranmer examine what Luther had wrote, and he approved his  
his

his doctrine, though he durst not profess it at that time.

“ The abolition of taste and literature, were not  
 “ the slightest abuses proceeding from popery ;  
 “ the revival of letters was one of the principal ser-  
 “ vices effected by the reformation. The Romish  
 “ clergy feared that, if men read, they would  
 “ think. It is no less true that, the moment they  
 “ thought, they wrote. The first author, as well  
 “ as the first martyr, among the English nobility,  
 “ was sir John Oldcastle, called the good lord Cob-  
 “ ham : a man whose virtues made him a refor-  
 “ mer ; whose valour, a martyr.” It would have  
 been a noble present to the world, if this honour-  
 able author had inserted the character of Cranmer  
 in his learned catalogue, which would have illu-  
 strated the above observation.

In 1525, Cranmer married a gentleman’s daugh-  
 ter ; by which means he lost his fellowship, and  
 became divinity-reader in Buckingham-college,  
 where he shewed himself a professed enemy to the  
 lazy, ignorant friars, who, in return, gave out  
 that he was only an ostler. His wife was kins-  
 woman to the hostess at the Dolphin-inn, with  
 whom she boarded ; and he went frequently to visit  
 her there ; which occasioned that slanderous report.  
 But his wife died in child-bed ; and he was re-  
 elected into Jesus college in 1526.

In 1528, he was made doctor in divinity, and  
 grew into such great esteem for his learning, that the  
 university appointed him one of the examiners of  
 their sufficiency, who commenced therein ; and  
 he would never admit any to proceed in divinity,  
 unless they were well acquainted with the holy scrip-  
 tures. The plague happened that year at Cam-  
 bridge, which occasioned the students to quit the  
 colleges, and Cranmer removed to Waltham, with

his principal pupils, to the house of Mr. Cressy, whose wife was related to him.

The cause of divorce between Henry VIII. and Catharine of Spain, had been in question two or three years between the canonists, civilians, and other learned men. The king was impatient at the slow proceedings of the cardinals Wolsey and Campeggio, the latter of whom he ordered back to Rome, and removed himself from London to Waltham for a night or two, while his household removed to Greenwich; by which means it happened that the harbingers lodged doctor Gardiner and doctor Fox in the same house where doctor Cranmer resided. Gardiner was secretary, and Fox was almoner to the king, whose divorce was principally conducted by them.

The three doctors met at supper, when the subject of the divorce was started, that the others might know the opinion of Cranmer upon it. He proposed a new method; which was, that the king should engage the chief universities and divines of Europe, to examine the lawfulness of his marriage; and, if they gave their resolutions against it, then, it being certain that the pope's dispensation could not derogate from the law of God, the marriage must be declared null.

This was new and seemed reasonable; so they proposed it to the king, who was much taken with it. He saw this way was both better in itself and would mortify the pope extremely. He insisted that Cranmer should be immediately sent for, and brought into his presence, when he fully satisfied the king of his learning and abilities.

The king commanded him to digest his thoughts in writing upon that argument, and committed him to the care of the earl of Wiltshire and Ormond, named sir Thomas Bullen, who then dwelt  
at

at Durham-house, and was judged a fit person for Cranmer to reside with, as he had been employed in embassies to Rome and Germany about the same matter, and able to instruct Cranmer in particular passages relating thereto.

The king made Cranmer his chaplain, gave him a good benefice, and nominated him to be archdeacon of Taunton. Cranmer finished his book in 1530, when he was commissioned, with Gardiner, Fox, and others, to dispute the cause in question in both the universities, and to procure their conclusions, which were given in favour of the divorce; and the foreign universities, as well as the principal reformers, concurred in the opinion, that "the marriage of a brother's wife was "contrary both to the laws of God and nature:"

Cranmer, and those who favoured the divorce, grounded their judgment upon arguments taken partly from scripture and partly from the fathers, councils, and schoolmen. The chief stress was laid on the laws in Leviticus, of the forbidden degrees of marriage; among which was this one, "not "to marry the brother's wife:" and the case seemed clear from tradition, which was the only sure expounder of the scripture. They examined the validity of the pope's dispensation; and asserted, that, no authority being able to make what was a sin in itself become lawful, every man that found himself engaged in a sinful course of life, ought to forsake it; and, therefore, the king ought to withdraw from the queen; and the bishops of England, in case of refusal, ought to proceed to censures.

A solemn embassy was then prepared and sent to the bishop of Rome, at the head of which was the earl of Wiltshire, accompanied by the doctors Granmer, Lee, Stokesly, Carne, Bennet, and other learned



learned men. They expostulated roundly with the pope in the name of Henry ; insinuating on the prerogative of the crown of England, and that their matter would not permit any citation to be made of him to a foreign court, and therefore would not consent that his cause should be tried at Rome.

The earl of Wiltshire delivered Cranmer's book to the pope ; telling him, that there were learned men come along with him from England, who were ready to defend what was contained in that book, against all who should contradict it. The pope often promised the ambassador to appoint a day for the disputation ; but it was a promise which he never performed. He knew, or supposed, that Cranmer was the author of that book concerning the king's marriage with Catharine ; and he made him his penitentiary in England, Ireland and Wales.

The ambassador and all the others returned to England, except Cranmer, who continued at Rome to make good his challenge, and so far prevailed, that at last they openly granted, even in the pope's chief court of the rota, that the marriage was against the law of God : but the pope's dispensing power was too advantageous a tenet to be parted with on any account.

In 1531, the king sent Cranmer a commission, with instructions to quit Rome, and repair to Vienna, as his sole ambassador to the emperor in this important cause. The emperor appointed Cornelius Agrippa to dispute with Cranmer, who easily brought his opponent over to his own side of the question ; so that he met with no opposition there, and took leave of the emperor.

Agrippa was judge of the prerogative court, and counsellor to the emperor. He had a very great genius, with an extensive knowledge of lan-  
guages.

guages and things; but he drew upon himself the hatred of the Romish clergy by the freedom of his writings, which rendered him unhappy. He was persecuted by the monks, and came to England, where he wrote on the epistles of St. Paul. He was thrown into prison in 1535, where he died, for declaring his opinion too plainly upon the divorce of Henry VIII.

Cranmer went from Vienna to Nuremberg, where he contracted an intimate friendship with Osiander, and married his niece. Osiander was an eminent divine, and Cranmer persuaded him to proceed in harmonizing the gospels, which he did, and dedicated his work to Cranmer in 1537. Cranmer secured commerce between the merchants of England and the emperor's Low-Countries. The king also made use of him in another embassy, which was secretly made to the elector Frederic, duke of Saxony. And he collected the opinions and judgment of the most learned men in Germany, as well in the universities as in the courts of princes, all agreeing with his own.

King Henry laid the decisions of the universities, the opinions that Cranmer procured abroad, and the books that were written for the divorce, before his parliament. There were twelve seals of universities shewed, and a hundred books produced, written on the same argument. Upon shewing these, the chancellor desired them to report in their countries, that they clearly saw the king had not attempted this matter of his mere will and pleasure, but for the discharge of his conscience, and the security of the succession of the crown. This was also brought into the convocation, who declared themselves satisfied that the marriage was contrary to law; but the circumstances they were then in, made their declaration  
not

not much considered, for they were then under the lash. All the clergy of England were sued, as in the case of a *præmunire*, for having acknowledged a foreign jurisdiction, and taken out bulls, and had suits in the legatine court. But they were received into favour by granting a considerable subsidy, and acknowledging the king the protector and supreme head of the church of England.

Henry had no farther intercourse with Catharine, who removed from court in July, 1531; and the king privately married Anne Bullen, on the November, 1533. She was the earl of Wiltshire's daughter, and esteemed a zealous protestant, strongly attached to the interest of Cranmer, who was in Germany that year, where he received information of the death of Warham, archbishop of Canterbury. Warham was a prelate of great worth and dignity; he had vast experience in business, and had a considerable share in the steps that had been taken towards the reduction of the papal power. Burnet calls him a great patron of learning, a good canonist, a and wise statesman; but says, he was a cruel persecutor of heretics, and inclined to believe fanatic stories.

The king resolved to advance Cranmer to the vacant archiepiscopal see of Canterbury, and sent him word of it, that he might make haste over to England. But Cranmer had difficulties to encounter before he could embrace this great offer; and even at last embraced it rather in obedience to the king, than to gratify any passion of his own power and grandeur.

A promotion so far above his thoughts, had not its common effects on Cranmer. He had a true and primitive sense of so great a charge; and, instead of aspiring to it, he was afraid of it, and  
he

he both returned very slowly to England, and used all his endeavours to be excused from that advancement. But this declining of preferment, being a thing of which the clergy of that age were so little guilty, discovered that he had maxims very far different from most churchmen. He returned to England without his wife, whom he privately sent for in 1534. But the papists said, he was incapable of a bishopric, as debarred by bigamy, having been twice married: In saying this, they perverted the scriptural sense, for the apostle only forbid the having of many wives at once, which was customary among the Jews.

Cranmer told the king, he could not accept the archbishopric at the hands of the pope; because the full right of donation of all manner of benefices appertained to his majesty, and not to any foreign authority. The king consulted Oliver, an eminent civilian, how he might bestow the see upon Cranmer, without hurting his conscience; and Oliver advised to have it done by way of testation. Eleven several bulls were sent to Rome, in order to his consecration, which the pope granted; though it could not be very grateful to him, to send them to one who had so publicly disputed against his power of dispensing.

On the thirtieth of March, Cranmer was consecrated by the bishops of Lincoln, Exeter, and St. Asaph. The oath to the pope was of hard digestion; so he made a protestation before he took it, that he conceived himself not bound up by it in any thing, that was contrary to his duty to God, to his king, or country; and he repeated this when he took it: so that it must, however, be acknowledged that this looks a little like double dealing.

Cranmer had read many of the books of Luther, and conversed with many of his followers,  
while

while he lived in Germany, which had given him an unfavourable idea of the usurpations of the court of Rome, whose claims he thought unscriptural and unjust. As the pope had not hitherto relaxed at all with regard to England, except by delaying the excommunication with which he threatened the king, so it was thought proper now to go one step farther towards a breach; to let him see that the English were not afraid of his power, and that they could do their business themselves without him. To this end, an act of parliament was passed, forbidding all appeals to Rome, on pain of a præmunire.

The church of England having made a full decision of the dispute by her representatives in convocation, there remained nothing but to give judgment, and declare the marriage null. Cranmer assisted at the wedding of Anne Bullen; and it is even said that he performed the sacred office. She began to shew her pregnancy, and her marriage could no longer be concealed. Catharine resided at Amptill, and Cranmer, with Gardiner, and three other bishops, went to Dunstable, where they cited her, and declared her contumacious. Anne was declared queen of England on Easter-eve, and, on the twenty-third of May, sentence was given against Catharine, declaring her marriage to have been null from the beginning.

Among the archbishop's titles in the beginning of the judgment, he is called, "Legate of the apostolic see;" which perhaps was added to give it the more force in law. The archbishop, in a few days after, by another judgment, confirmed the king's marriage with the lady Anne, who was crowned the same week, and Cranmer performed the ceremonies. The king sent ambassadors to all courts to justify what he had done; and also sent  
some

some to queen Catharine, to charge her, to assume no other title but that of princess dowager.

In this manner ended the great affair of the king's divorce from queen Catharine; which had made so much noise all over Europe, which had given the king and his ministers so much uneasiness, and which had occasioned the revolt of the whole English nation from the see of Rome, as well as the ruin and destruction of many eminent men.

Those that loved the reformation, looked for better days under the protection of queen Anne; but many priests and friars, both in sermons and discourses, condemned the king's proceedings, which were revised by the pope, who annulled all that the archbishop of Canterbury had done.

On the seventh of September, the queen brought forth a daughter, the renowned queen Elizabeth, who made afterwards so great a figure on the throne of England. Cranmer stood godfather to the young princess, who afterwards completed that reformation for which he died a martyr.

The papal power had been abridged in England; and, after lopping off so many of its branches, it was now determined to attack the root. The parliament met in January, 1534, and passed a bill for taking the pope's power away; wherein they appointed that all commerce with Rome should cease; but declared, they did not intend to alter any article of the catholic faith of Christendom, or of that which was declared in the scripture necessary to salvation: they subjected all monasteries to the king's visitation; and the offenders against this law were to be punished according to the statutes of præmunire. They passed an act for settling the succession of the crown, and confirming the sentence

tence of divorce. They regulated the proceedings against heretics, and the election of bishops. Those that loved the reformation, rejoiced both to see the pope's power rooted out, and to find the scripture made the standard of religion.

The black imposture of Elizabeth Barton, the nun of Kent, might have cost the king his crown if it had happened in a darker age, when all the world went mad after visions. She had been troubled with hysterical fits, which she afterwards counterfeited, and was taught to speak against the divorce, so as to threaten the king's death if he married another wife. The parliament took the matter under consideration, and detected the imposture, for which she, and six of her accomplices, were attainted of treason and executed. But, at the intercession of queen Anne, as it is expressed in the act, all others that had been concerned with her were pardoned. The discovery of this, disposed all to look on older stories of the trances of monastic people, as contrivances to serve base ends, and made way for the ruin of that order of men in England.

A way was now opened for the reformation, for the accomplishing of which archbishop Cranmer lost no opportunity. That he might carry it on with true judgment, and justify it by good authorities, he made a great collection of the opinions of the ancient fathers and later doctors, in all the points of religion; in which Burnet says he had seen two volumes in folio: but, by a letter of the lord Burleigh's, it appears, there were then six volumes of Cranmer's in his hands.

He was a man of great candour, and much patience and industry; and so was, on all accounts, well prepared for that work to which the providence of God then called him. Cromwell was his  
great

great and constant friend; a man of mean birth, but of excellent qualities. They were opposed by another party, headed by the duke of Norfolk and Gardiner; and most all the clergy went into it. But there was now to be a revolution in the English church; whereby an end was put to that blind obedience to the see of Rome, which had enslaved our ancestors for so many ages, without any foundation in scripture or reason.

Cranmer represented to the king, that if he rejected the pope's authority, it was very absurd to let such opinions or practices continue in the church, that had no foundation but papal decrees. He said England was a complete body within itself, and that every prince ought to reform the church in his dominions by a national synod, especially when the pope could not be prevailed upon to hold a general council.

Cranmer, at that time, made a long speech in the house of lords, setting forth the necessity of a reformation. He begun with the impostures and deceit used by the canonists, and other courtiers at Rome. Then he spoke to the authority of a general council; and he shewed, "That it flowed not from the number of bishops, but from the matter of their decisions, which were received with an universal consent. That Christ had named no head of the whole church, as God had named no head of the world; but that grew up for order's sake, as there were archbishops set up over provinces; yet some popes were condemned for heresy, as Liberius, and others. That, if faith must be shewed by works, the ill lives of most popes of late shewed, that their faith was to be suspected; and all the privileges which princes or synods granted to that see might be recalled. That popes

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ought to submit themselves to general councils, and were to be tried by them."

He then shewed what were the present corruptions of the pope and his court, which required reformation. He told them the fathers had always appealed to the scriptures, as superior in authority to councils, by which only all controversies ought to be decided: and he thought, when the fathers all agreed in the exposition of any place in scripture, that ought to be looked on as dictated by the spirit of God. He shewed how little regard was to be had to a council, in which the pope presided; and that, if any common error had passed upon the world, when that came to be discovered, every one was to be at liberty to shake it off, even though they had sworn to maintain that error. This he applied to the pope's authority.

The nobility and gentry were generally very well satisfied that the king had assumed a supremacy in ecclesiastical affairs; but the priests made the people believe that the queen, Cranmer, and Cromwell, were heretics; however, the bishops and abbots swore to maintain the king's supremacy. Cromwell was made the king's vicegerent in ecclesiastical matters, with precedence of all next the royal family; and his authority was in all points the same, that the legates had in time of popery. He immediately betook himself to the dissolution of the monasteries, that the king might have their revenues; while Cranmer made his metropolitanical visitation in his province, and carried on the same design with Cromwell. The effect of these visitations was the suppression of the abbies, and their revenues given to the king.

The general visitation was cast into several precincts, and instructions were given to direct what things

things to enquire after. The visitors were to declare all to be absolved from any rules or oaths that bound them to obey the pope; and, that all their statutes tending to it, should be rased out of their books. They were to order, that the abbots should not have choice dishes, but plain tables for hospitality; that the scriptures should be read at meals; that they should have daily lectures of divinity; and maintain some of every house at the university. The abbots were required to instruct the monks in true religion, and to shew them that it did not consist in outward ceremonies, but in cleanness of heart, purity of life, and the worshipping of God in spirit and truth. The visitors went over England, and found, in many places, monstrous disorders. The sin of Sodom was found in many houses, great factions and barbarous cruelties were in others, and in some they found tools for coining.

The king was extremely incensed against the monks, whom he considered as the great disturbers of his repose; which, together with the prospect of getting their estates into his hands, made him push the matter against them with the utmost violence.

Cranmer promoted this much; because both these houses were founded on gross abuses, and subsisted by them; and these were necessary to be removed if a reformation went on. As soon, therefore as the commissioners had given in their report, it was very industriously propagated over the kingdom, and fully answered the end which the king had in view. The whole nation was scandalized to the last degree, to find the places sacred to retirement and devotion, a few excepted, given wholly to faction, lewdness, idolatry, or superstition; which

made it easy for the king to get them suppressed in parliament.

Paul III. succeeded Clement in the papacy, and perceived that an accommodation with England was at an end. Therefore, to maintain the honour of the papal see, he excommunicated the king, absolved all his subjects from their allegiance, ordered all ecclesiastics to leave the kingdom, and the nobility to take up arms against the king. He forbid Christians of all nations to have any commerce with the English people, laid the kingdom under an interdict, and annulled all the treaties which foreign princes had made with Henry since his second marriage, declaring the issue of it to be illegitimate.

Queen Catharine died at Kimbolton on the eighth of January, 1536, in the fiftieth year of her age, thirty-three years after she came to England. She was a devout and exemplary woman, and highly esteemed by all sorts of people. The king appeared much affected at her death, and caused her to be interred in a monastery at Peterborough; which, for the honour of her memory, he reserved when the rest fell, and erected it into an episcopal see.

The king soon after fell in love with Jane Seymour; and queen Anne fell a victim to his lust, and the interest of the popish party. Anne Bullen was beloved by the nation, and was so much set on doing good, that, in the last nine months of her life, she gave above fourteen thousand pounds in alms to the poor.

The day after Anne Bullen's death, the king married Jane Seymour, who gained more upon him than all his wives ever did: but she was happy that she did not outlive his love to her. This  
strongly

strongly shews the rage and injustice of the king in the fall of queen Anne, of which the protestant princes in Germany were so sensible, that they refused to make Henry the head of the confederacy entirely on this account.

In the parliament of 1536, two farther acts were passed against the papal power. The convocation, or rather an assembly of all the bishops, sate at the same time, and was much employed in examining some points of religion. It was hoped that Cranmer was now declining by the fall of queen Anne; and the enemies of the reformation complained of sixty-seven opinions that they found were much spread in the kingdom: but all their projects failed; for Cranmer was fully established in the royal favour; and Cromwell was sent to the convocation with a message from the king, that they should reform the rites and ceremonies of the church, according to the rules set down in scripture, which ought to be preferred to all glosses or decrees of popes. Cranmer took occasion to shew the useflessness of the school-divinity, and proved the absolute necessity of the scriptures to all the purposes of religion. He pressed a reformation; and, after a sharp contest against Edward Lee, archbishop of York, Gardiner, and others, they agreed on the following articles of religion, which made a great change in the doctrine and discipline of the church.

1. That the bishops and preachers ought to instruct the people according to the scripture, the three creeds, and the four first general councils.
2. 3. That baptism and penance were necessary to salvation.
4. That in the Eucharist, under the forms of bread and wine, were the very flesh and blood of Christ.
5. That justification was the remission of sins, and a perfect renovation in Christ;

and, that not only outward good works, but inward holiness, were absolutely necessary. The other articles concerned only the rites and ceremonies of the church, as what related to images, saints, ceremonies in worship, and purgatory.

Roger Ascham, the orator of the university at Cambridge, could not endure the smell of fish, and applied to Cranmer for a dispensation to eat flesh in Lent, and on fish days, which were then strictly observed in the colleges. The archbishop did not know him, but received his suit with all humanity. But, whether he thought it out of his power to grant a licence of that latitude, or to avert the censure that he might incur, if he should have done it by his own authority; or reckoning it a matter of law, rather than religion, he put himself to the trouble of procuring the king's licence under the privy-seal for Ascham: and, when he had done that, considering an academic's poverty, he released him of the whole charges of taking it out, paying the whole fees himself. The archbishop's opinion concerning Lent, made way for his more ready yielding to Ascham's request; for he held the keeping of Lent, as founded in a positive law, rather than as a religious duty, and thought it necessary that so the people should be taught and instructed.

The same year, Cranmer sent Erasmus a present of eighteen angels. The English nation abounded with discontented people, and insurrections and rebellions ensued. The latter times of Henry VIII. may be compared well enough with those of the emperor Constantius, who was cruel towards those that truly or falsely were charged with treason.

The new queen was delivered of a prince; but died in child-bed, in 1537. Cranmer and Cromwell, seeing their hopes of the reformation decay, after

after the deaths of Anne Bullen and Jane Seymour, thought it necessary to support their party by marrying the king to Anne of Cleve. Cromwell soon after lost his life for making this match; but Cranmer still had the favour of the king.

The Bible was translated into English by the means of Cranmer, who began with the New Testament, taking Tindal's translation, which he divided into ten parts, and sent to the best learned bishops, and others, each of them a part, to make a perfect correction thereof. It was printed in August, 1537, by Richard Grafton; and the archbishop said this gave him more good than the gift of ten thousand pounds. Cromwell procured a general warrant from the king, allowing all his subjects to read it; for which Cranmer wrote his thanks to Cromwell, "and rejoiced to see the day "of reformation now risen in England, since the "word of God shone over it all without a cloud." The clergy were ordered to set up Bibles in their churches, and to encourage the people to read them; as also to teach them the Creed, the Lord's Prayer, and the Ten Commandments, in English. Some of the main points of the former superstition were also struck at, about images, pilgrimages, and the invocation of saints: but the free use of the scriptures gave the deadliest blow to all; and all the clergy submitted to them without any murmuring.

The king drew up six articles, which the duke of Norfolk offered to the parliament. The first was for the corporal presence. 2. For communion in one kind. 3. For observing the vows of chastity. 4. For private masses. 5. For the celibacy of clergy: and the sixth was for auricular confession. The king intended by these articles to screen

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himself

himself from the imputation of heresy and innovation.

Cranmer was the only person who had courage of mind enough to oppose the establishing these articles by act of parliament : he argued against them for three days together in the house of lords with great spirit and judgment : but he was single and unsupported. When it came to the vote, the king desired Cranmer to go out ; but he excused himself, for he thought he was in his conscience obliged to vote against it.

These articles were passed into a law, whereby none were suffered to speak a word against the doctrine of transubstantiation, upon pain of being burnt to death as a heretic, without the benefit of abjuration ; and it was made felony to dispute against the other five articles, or for married priests to retain their wives.

The poor reformers were now exposed to the rage of their enemies, and had no comfort from any part of it but one, that they were not delivered up to the cruelty of the ecclesiastical courts, or the trials *ex officio* ; but were to be tried by juries : yet the denying the benefit of abjuration was a severity without a precedent, and was a forcing martyrdom on them, since they were not to be the better for their apostacy.

The king ordered Cranmer to put in writing all the arguments he had used against the six articles, and bring them to him. By the statutes, this was a crime which might bring a man to the stake ; but the archbishop, confiding in the king's honour and friendship, drew up his reasons which had induced him to oppose this law ; grounded chiefly on the scriptures, and the authority of the ancient doctors of the church. The Roman zealots seconded their

their blow by "A Book of Ceremonies, to be used by the Church of England," all running after the popish strain : but our laborious metropolitan answered it himself, and prevented its reception.

Cranmer procured an order that all private persons might have Bibles in their houses, which was vehemently opposed by Gardiner, who insisted that, without tradition, it was impossible to understand the meaning of the scriptures; and one day, before the king, he challenged Cranmer to shew any difference between the scriptures and the apostles canons. The result of the debate was, the king judged in favour of Cranmer, and said, he was an old experienced captain, and ought not to be troubled by fresh men and novelties.

Cromwell was beheaded in 1540, having been deserted by all his friends except Cranmer, who alone ventured to write to the king in his favour; but to no purpose, though he was condemned without the knowledge of what he was guilty.

The next work of the popish party was to sacrifice Cranmer, who became instrumental to the reformation in Scotland. Gardiner and his party preferred bills of accusation against Cranmer's chaplains, upon the statute of the six articles; and they drew up another book against the archbishop himself.

Gardiner employed many to infuse it into the king, that Cranmer gave the chief encouragement to heresy of any in England, and that it was in vain to lop off the branches, and leave the root still growing. The king till then would never hear the complaints that were made against Cranmer; but he was now willing to draw out all that was to be said against him, that he might penetrate into the  
depth



depth of this design, which he found was conducted by Gardiner.

His majesty went in his barge to Lambeth, and shewed the archbishop the accusations that had been alledged against him. His grace confessed he was still of the same mind as when he first opposed the six articles, though he had done nothing contrary to them, and desired the king that he might have a trial. Henry then asked him about his wife; and Cranmer said, he had sent her into Germany on the passing of this act.

His majesty was so charmed with his openness and integrity, that he discovered the whole plot that was laid against him, and insisted on his proceeding against his enemies. But the good archbishop made it appear, that he was actuated by that meek and lowly spirit that become all the followers of Christ; more especially one that was so great an instrument in reforming the Christian religion; and did in such eminent acts of charity shew that he himself practised what he taught others to do. However, the severity of the six articles was qualified by parliament, to prevent such discoveries for the future.

But another design was laid against Cranmer's life, in 1546, which the king also discovered to him, and upbraided his enemies, who were then convinced of his majesty's unalterable favour to him, and never made any more attempts upon him.

The archbishop had hitherto wore his paternal coat of arms, which were three cranes sable: but the king now altered them into three pelicans feeding their young with their own blood, and told his grace, "That those birds should signify to him, that he ought to be ready, like the pelican, to shed  
his

his blood for his young ones, brought up in the faith of Christ; "for," said the king, "you are like to be tried if you will stand to your tackling at length:" which accordingly happened.

Gardiner then attempted to persuade the king that his queen, Catharine Parr, was a heretic; but she artfully escaped the danger; and these attempts against her and the archbishop proved very prejudicial to the enemies of the reformation. Cranmer would not meddle in their disgrace and fall, but retired to Crôydon, while the attainder passed against the duke of Norfolk, and continued there till the king sent for him when he was dying. His majesty was speechless before Cranmer came; however, his grace desired that, if the king was sensible, he would give some token of his dying in the faith of Christ; upon which he squeezed the archbishop's hand, and soon after expired.

Henry was succeeded by his son Edward, under whose government and protection the state of Cranmer, who was his godfather, was not impaired, but advanced. The archbishop was one of the council appointed by the late king's will. He was now delivered from the consideration of fear, interest, and gratitude, that had fettered him during the late king's reign. He had the ends of reformation so much at heart, that he had not enough attended to the rectitude of means. His parts were slow, but sure; his zeal was gentle, but strong: in conduct, he was not intrepid, but persevering: he sometimes deviated from the road, but he never lost sight of the object; and, when he was at liberty to return to the right path, his approaches to reformation were rapid, though silent; for his motions were quickened when the restraint was removed.

The

The young king was crowned by the archbishop, who made an excellent speech, wherein he explained the ends of the solemn rites of coronation; and shewed, that it was not in the power of bishops, after having anointed the kings, to receive or reject them. He exhorted the young king to follow the precedent of good Josias, to regulate the worship of God, to suppress idolatry, reward virtue, execute justice, relieve the poor, repress violence, and punish the evil-doer.

This speech occasioned a royal visitation to be resolved on, for rectifying the disorders of the church, and reforming religion. The greatest difficulty which Cranmer met with in his design, was the miserable condition of the parochial clergy, and the want of able men to propagate it over England. He had procured several of the best books, written abroad against popery, to be translated and published in England. He likewise published a Catechism, which he translated and improved from the Latin, and was principally aimed at the abolished worship. He also composed several homilies, to be delivered by priests, many of whom were too ignorant for composing sermons. These, with a great number of other tracts, diffused the principles of reformation; and part of the English service for the evening-prayer, was said in the king's chapel. The sacrament was administered in both kinds; the doctrine of purgatory was exploded with the reformed, and the marriage of the clergy was allowed.

The book of Homilies was chiefly composed by Cranmer, and was intended principally to explain the method of our salvation according to the Gospel. Besides this book of Homilies, and the Bible, it was likewise ordered there should be, in every church,

church, Erasmus's Paraphrase on the New Testament, translated into English, for the instruction of the less learned part of the clergy, as well as the people.

The six articles made by king Henry, had been more observed than the injunctions published by Cromwell, and a new set of injunctions were given to the visitors to distribute throughout every parish. They summoned the bishops and the members of each cathedral, who were to take the oath of supremacy, and present all things in their church and diocese that were necessary to be reformed. The injunctions were thirty-six in number, which shew the moderation of the reformers, and the wisdom and care of the good archbishop: but they likewise shew to what a degree of corruption and superstition the church of England was degenerated, and how much it stood in need of a reformation: and "it would be well for the church and for religion, if some of these corruptions did not continue to this day to be complained of."

The visitors met with little opposition; and Cranmer successfully carried on the reformation till the fall of his illustrious friend the lord protector. The archbishop wrote "The True Doctrine of the Sacrament in five books," for the public instruction of the church of England, which was received in the reign of queen Elizabeth. It was answered by Gardiner, whom the archbishop easily confuted in open court at Lambeth.

The Sacrament being the commemoration of Christ's sacrifice on the cross, and so, by a figure of speech, being called a sacrifice, the people were taught to imagine, that the consecration and consuming of the elements by the priests was an action expiatory in itself both for the dead and living. Hence arose that infinite number of masses in the church

church of Rome, for saints, for souls, for rain, for health, for any particular blessing, and indeed for all the accidents of human life, which were distinguished only by the variation of a collect. But this whole trade of massing was now removed by an act about the sacrament, which reformed those abuses, and ordained that the people should receive it in both the kinds of bread and wine, agreeable to the first institution of Christ, and the primitive practice of the church.

Cranmer went on labouring and writing to root up the superstition, and to remove the prejudices of his countrymen: but he was opposed in his design by many, especially in the universities. However, under all this opposition, and even under all this abuse, his spirit breathed nothing but gentleness and persuasion. When it was observed to him, that, if his opponents had the power which he then possessed, they would shew his grace no favour; he replied, with the piety of a true Christian, "Well, if God so provide, we must abide it."

The archbishop had several learned men in his family; some of which he sent for from abroad, and entertained others in compassion, who were exiles for religion. Among the former, were Martin Bucer, and Peter Martyr, who, by the direction of his grace, wrote to the princess Elizabeth, commending her study in piety and learning, and exciting her to proceed therein. Those two eminent divines were preferred to public places of reading in the universities, where they were of great service to the reformation, as is shewn in their lives. The archbishop employed Bucer in reviewing The Book of Common-Prayer; and the foreign protestants had such joy and satisfaction with this establishment of religion in England, that the heads of them, such as Calvin and Bullinger, offered to make

make king Edward the defender of their faith, and to have episcopal churches, the better to assist and unite together. But this was prevented by the council of Trent, who concluded that Rome and her clergy would utterly fall if that union was not stopt. However, several congregations of foreigners came and settled in England.

“ Mass for the lady Mary was denied to the emperor’s ambassador. Joan Bocher, otherwise called Joan of Kent, was burnt for holding, that Christ was not incarnate of the Virgin Mary. And the bishop of Winchester, after a long trial, was deposed his bishopric.” Commissioners were sent to enquire about church ornaments in 1552; and but one silver chalice was left to each church. A commission was issued to the archbishop, and several others, to reform the ecclesiastical laws; which work was to be supervised by his grace, who brought it to perfection: but it wanted the royal ratification, which was delayed, partly by business, and partly by enemies. His grace also presided among the commissioners, who drew up the book, containing the forty-two articles of religion; which he had long bore in his mind, as excellently serviceable for the creating of a concord and quietness among men, and for the putting an end to contentions and disputes in matters of religion.

The last thing we hear of concerning Cranmer in this reign, was his refusal to comply with the new settlement of the crown in favour of lady Jane Grey. When that instrument was to be signed by the privy-council, the archbishop was absent; and when he was pressed to set his hand as the rest had done, he opposed the whole transaction with great vehemence. Nothing could move him to consent to the disinheriting of the daughters of his late

late sovereigns, till the dying king requested it in a very moving manner; saying, That he hoped his grace alone would not stand out, and be more repugnant to his will, than all the rest of his council were. Such a request, and intended for the preservation of the protestant religion, made a great impression upon the archbishop, who first spoke with the judges, and then subscribed.

Soon after the king died; but was not interred till after Mary was crowned, when archbishop Cranmer performed the funeral service with a sorrowful heart, according to the form in the Common Prayer-Book. He mourned for him as his godson, as his pupil, and his king.

Queen Mary, with very bloody steps, ascended the throne; from whence she hurled destruction on the new religion, by destroying its principal supporters, as mentioned in the lives of Ridley, Latimer, and Hooper. Lady Jane Grey was not allowed the liberty of a private station, by the unbounded ambition of her father-in-law the duke of Northumberland: but that excellent lady lost her life to gratify his lust of power, which also ruined himself and almost all his family.

Cranmer appeared among the council which proclaimed queen Jane, and was one of those who signed the letter to Mary, whose disposition he knew, and was willing to support lady Jane, in hopes of supporting the reformation.

The duke of Norfolk, Gardiner, and Bonner, with some others, were released from the Tower, Mary's first care was to establish her own religion, and oblige the kingdom to return immediately to what she called, "the union of the catholic church." She appointed Gardiner her chancellor, to whom, with Bonner, she entrusted the bloody work of destroying the reformation. The  
reformed

reformed foreigners were permitted to leave the kingdom; which was the only act of mildness and equity shewn in this reign, with reference to religion. The deprived bishops were restored, and the reformed bishops were imprisoned; the reformation laws were repealed, and the old laws revived; popery resplourished, and the reformation seemed lost.

Cranmer had saved the life of Mary merely by his sollicitation, when her father intended to put her to death: but she had conceived a mortal aversion to him, on account of the sentence of divorce which he pronounced against her mother. Mary also called Cranmer the chief of heretics. and marked him out for destruction. He had escaped a snare laid for him in the Star-chamber; but he was cited before the council, and sent to the Tower, on an accusation of treason, and of publishing seditious libels. The charge of treason was for signing the instrument of lady Jane's succession; and that of sedition was for publicly offering to maintain the reformation made under the late king.

The archbishop had been advised to quit the kingdom, and avoid the storm that was rushing on the Protestants, of whom about a thousand fled to Germany and Switzerland; but the archbishop was determined to face the danger, and justify his doctrine: he would not persuade others to abide a persecution; yet, considering the post he held, and the principal hand he had in the reformation, he thought it an indecent thing for him to fly abroad; and no entreaties could prevail on him to go.

Holgate, archbishop of York, Ridley, and Latimer, were also committed to the Tower, which was so crowded with prisoners, that Cranmer,



Ridley, Latimer, and Bradford, were all thrust together into one chamber. They read over the New Testament with great care and study, to see if they could find any thing that might favour the popish doctrine of transubstantiation; but they could find none; nor any thing to shew that the mass was any sacrifice for sin.

A corrupt parliament was procured, who complied with every measure that could oblige the court. They abrogated all the laws made in favour of the reformation, and restored every thing belonging to the ancient religion. The pope sent cardinal Pole, as his legate, "to bring back to the fold of Christ the sheep that were gone astray:" and, as the parliament had fully restored the papal authority, the legate granted the kingdom a full absolution, which was received by both houses on their knees. Thus every thing was brought back to the same state as before the twentieth year of Henry VIII. with this additional grief to the protestants, that the queen was married to Philip, king of Spain, who came to England, where it was feared he would introduce the Austrian tyranny, and the Spanish inquisition. Wyat's rebellion was suppressed, and the princess Elizabeth was imprisoned; after which, the whole kingdom became a bloody scene of papal fury, revenge, and cruelty.

Cranmer was committed to the Tower on the fourteenth of September, 1553, and was arraigned for treason in Guildhall, on the thirteenth of November following, with lady Jane Grey, and lord Guilford Dudley. As the government affected great lenity, they all pleaded guilty; though the queen was resolved they should die. Cranmer made a speech to the judges, wherein he endeavoured to mitigate his crime, by appealing to the knowledge

knowledge of those who were present, if he had not refused to sign the will until the judges pronounced it to be legal. The other members of the council who had signed king Edward's will, were pardoned, and so was Cranmer of the treason; but his death was decreed, and it was resolved he should be proceeded against for heresy, with the other bishops.

The archbishop of York died in the Tower, with grief and affliction; but Cranmer, Ridley, and Latimer, were reserved to receive the crown of martyrdom. The whole convocation had been confuted by Philpot, archdeacon of Winchester, in a debate about the real presence. Many complaints were made, that the disputes in this convocation, had not been fairly carried on, that the most eminent reformed divines were detained in prison, and of those who had a right to be in the house, but few were permitted to speak, and that not without interruption and menaces. It was therefore resolved to adjourn the convocation, and to continue the debate at Oxford, where Cranmer, Ridley, and Latimer were sent, to give some sanction to such an arbitrary conference, as mentioned in Ridley's life.

Sir John Williams, on the eighth of March, 1554, by order of the council received from the Tower of London, the archbishop and the two bishops, and carried them through Windsor, and so down to Oxford, there to dispute concerning their faith. Cranmer was confined to Bocardo, and the other two to other places, where they were kept apart. Weston, the prolocutor, and some members of the convocation, with others from both the universities, amounting to thirty-three in all, appeared as commissioners to conduct the Oxford disputation, against the three protestant prelates.

The queen and her bishops had concluded what should become of the archbishop, who was to suffer the more terrible death of fire, as a heretic, instead of suffering by the ax, as a traitor: yet they would have the matter debated by arguments, that under some honest shew of disputation, the murder of the man might be covered. The whole was a farce; for the three prelates were privately condemned, before they were publicly heard, and were treated with great indignation.

The commissioners after dinner held their court before the altar in the university church of St. Mary; and the mayor, with a guard, brought Cranmer before them on the fourteenth of April. Weston opened the court, by recommending unity, and declaring the articles upon which they were to dispute. These were: "Whether the natural body of Christ was really in the sacrament? Whether any other substance did remain but the body and blood of Christ? and, Whether, in the mass, there was a propitiatory sacrifice for the sins of the dead and living?"

To what was said about the unity of the church, the archbishop replied with so much modesty and solemnity, and in such pathetic terms, that most of the audience wept. As soon as the questions were shewed his grace, he asserted they were not true, and that he would maintain the negative. The archbishop was dismissed for that day; after which, Ridley and Latimer successively made their appearance, and both followed the example of Cranmer.

On the sixteenth, the archbishop was brought into court again, which was held in the divinity-school, and seated in the respondent's place. Weston opened the debate with a strange blunder, which Cranmer thought it below him to take notice of: but

but he overthrew Chedsey, who was his first opponent; and delivered in writing his answers to the three propositions. First, he denied the real presence; but granted an effectual one. To the second, he said, it swerved from the accustomed manner and speech of scripture: and, to the third, he answered, it was most contumelious against Christ Jesus, and a violating of his precious blood, which, upon the altar of the cross, was the only sacrifice and oblation for all mankind. He then delivered in a more ample explication of his reasons, which are truly worthy of himself, and are fully preserved by Fox.

Oglethorp told Cranmer, that Christ gave his very body: but Cranmer said, that Christ used figurative speech in no place more than in his sacraments, especially in this of his supper. Oglethorp replied, "Christ used no tropes." "Yes," says Cranmer, "he might use them well enough. "You know not what tropes are." It was returned, that his judgment was disagreeing with all churches. "Nay," answered the archbishop, "I disagree with the papistical church." They asked him, What Christ took, gave, broke, and eat? He said, to the whole questions, "Bread." Cole said, "If Christ gave bread, it was not the body; which was an argument that could not be dissolved." "The like argument," says Cranmer, "may be made: he is a rock, therefore is not Christ." Weston advanced, that he gave not his body indeed. But Cranmer told him, "He gave his death, his passion, and the sacrament of his passion: and, in very deed, setting the figure aside, formally it was not his body." "Why then," replied Weston, "the scripture's false." "No," says Cranmer, "the scripture

"is most true." Weston said, "We eat the body of Christ with our mouth." This Cranmer denied, and insisted, "We eat it through faith; not naturally, but spiritually." Chrysostom was urged against him. "But," says the archbishop, "Chrysostom speaketh of sacraments no otherwise than of Christ himself, as I could prove, if I might have liberty to speak, by many places of Chrysostom, where he speaketh of the sacrament of the body of Christ." They quoted Tertullian, to prove, that the body of Christ was eaten with the mouth. "Read that which follows," says Cranmer, "and you shall perceive, that, by things external, an operation internal is understood. Inwardly we eat the body of Christ, and outwardly we eat the sacrament. So one thing is done outwardly, another inwardly. Like as in baptism, the external element, whereby the body is washed, is one; the internal thing, whereby the soul is cleansed, is another."

Tresham compared the archbishop to Arius; of which his grace made him ashamed, as he contradicted himself. Young asked him sophistical questions about figurative speech, and impudently told him, a liar ought to have a good memory. Says Cranmer, "I look for scripture at your hands, they are the foundation of disputations: but you interpret the scriptures contrary to all the old writers, and feign a strange sense."

They taxed him with falsely translating Justine, and Emissenus; which he disproved. "I will oppose you," says Weston, "in the very articles of your faith. Christ sitteth on the right hand of God the father: but God the father hath no right hand; therefore, where is Christ now?" Cranmer answered, "I am not so ignorant a novice  
" in

“ in the articles of my faith, but that I understand  
 “ that to sit at the right hand of God, doth signify  
 “ to be equal in the glory of the Father.”

Then the prolocutor challenged him with setting forth the Catechism in the name of the convocation; but Cranmer said, “ He was ignorant of the setting to of that title, which he disliked, and complained thereof to the council; who answered him, that the book was so intitled, because it was set forth in the time of the convocation.”

Weston then charged him with mistranslating Thomas Aquinas; and, without waiting for any answer, said to the people: “ Thus you see, brethren, the truth stedfast and invincible: you see  
 “ also the craft and deceit of heretics. The truth  
 “ may be pressed, but cannot be oppressed: therefore, cry altogether, Vincit Veritas, The truth  
 “ overcometh.”

This disputation began at eight in the morning, and ended at two in the afternoon, with great triumph; as though Cranmer had been confounded in the opinion of all the audience, which they had shewn by their noise and laughter when the archbishop was carried back by the mayor to prison, and the doctors dined together at the university college. This dispute was carried on with much indecency by the committee; the prolocutor calling the archbishop sometimes an unlearned, and sometimes an impudent man; and many others hissing, whilst he was speaking, to prevent his being heard.

Ridley and Latimer were also brought before these commissioners, who treated them in the same manner as they had done the archbishop. The same week, Harpsfield disputed his degree, and Cranmer was called upon for one of the oppo-

nents; in which he gained the public applause of his very enemies.

On the thirteenth of April, Cranmer wrote a letter to the privy-council, complaining of the confused manner in which the disputation was held; as also, that it was concluded in one day, though such weighty matters could hardly be ended in three months, and he himself had more to say than could be well discussed in twenty days.

Cranmer, Ridley, and Latimer, on the twentieth of April, were brought again to St. Mary's before the commissioners; when the prolocutor told them they were overcome in the dispute, and required them to subscribe the questions in the affirmative. They refused; and the court condemned them as heretics. Upon this the archbishop said, "I appeal from this your sentence to the just judgment of almighty God; trusting to be present with him in heaven, for whose presence on the altar I am thus condemned."

The design of opening another court at Cambridge was dropt; and the execution of Cranmer was deferred by the crafty old chancellor, who told the queen and council, that the best thing they could do, was to try to shake his fortitude and integrity. Besides, the pope would not allow the see to be vacant by attainder, till Cranmer was deprived by a commission from Rome. That commission was brought over, appointing Brooks bishop of Gloucester, to demand justice against Cranmer; and he, assisted by two commissioners from the queen, exhibited articles against the archbishop at Oxford, as the pope's delegate.

When his grace was brought into court, at St. Mary's church, on the twelfth of September, he paid

paid his respects to the queen's commissioners, as representing the supreme authority of the nation; but he gave none to Brooks, as the pope's representative.

Many arguments passed between the archbishop and his judges. In conclusion, his grace assured them, that the loss of his promotion was so far from grieving him, that he thanked God for it very heartily; and, that his only concern was, to see all the pains and trouble which king Henry and himself had taken, to retrieve the authority of the kings of England, and to vindicate the nation from the baseness and inconvenience of a foreign yoke, wholly thrown away. He was then cited to appear at Rome in eighty days; which was only a mockery of justice; for he was willing to go, but they remanded him back again to prison.

The bishops of Gloucester, Lincoln, and Bristol, were sent to Oxford, by a commission from cardinal Pole, to proceed against Latimer and Ridley, who refused to recant, and were burnt on the sixteenth of October.

The time soon came that Cranmer was to suffer the same fate. A mock process had been carried on against him at Rome, where he was pronounced contumacious, for not appearing before the pope, when he was detained in prison by the queen. A commission was sent over to Bonner, bishop of London, and Thirlby, bishop of Ely, to degrade, excommunicate, and consign him over to the secular power.

The two bishops came to Oxford, and read their commission before the archbishop in the choir of Christchurch, on the fourteenth of February, 1556. Bonner entered upon this business with great pleasure, as a piece of revenge upon Cranmer, who had deprived him; but Thirlby assured Cranmer, that



that this was the most sorrowful action of his whole life, and that no earthly consideration, but the queen's command, should have engaged him in it.

When their commission was read, they proceeded to degrade the archbishop, by cloathing him as a priest ready to mass; upon which he said, "What, 'I think you would have me say mass?'" Then they cloathed him in pontifical robes of canvas, to make him appear ridiculous; which were taken from him, piece after piece, according to the Romish ceremonies of degradation. Bonner insulted him all the time with rude and ludicrous expressions, addressed to the assembly; but Thirlby wept, and intreated Bonner to forbear his insolence.

Bonner gratified his native brutality by this severity to his great but unhappy metropolitan, who bore it with all his wonted fortitude and patience: He told them, the degradation gave him no concern, for he had long despised those ornaments: but, when they came to take away his crozier, instead of delivering it, he held it fast, and delivered his appeal to Thirlby; saying, "I appeal to the next general council; and herein I have comprehended my cause, and the form of it, which I desire may be admitted:" and called upon several standers-by, by their names, to be witnesses.

In this appeal, he declared, "That a general council is above the pope. That he was cited to appear at Rome, and condemned while he was imprisoned. That he was cited at Oxford by Brooks, who denied him council, contrary to the equity of all laws, both of God and man. That his appeal from Brooks was disregarded, and a copy of his answers was refused. That he denied the papal authority, and appealed from all its proceedings,

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as most unequal and unrighteous, most tyrannical and violent, unto a free general council. That his doctrine was taken purely and simply from the scripture; and that, if he erred, he could not be a heretic, because he was ready in all things to follow the judgment of the most sacred word of God, and of the holy catholic church; but that he was accused for an heretic, because he allowed not the doctrine lately brought in of the sacrament, nor would consent to words not accustomed in scripture, and unknown to the ancient fathers; but newly invented, and brought in by men, and belonging to the destruction of souls, and overthrowing of pure and reformed religion."

When they had stript the archbishop of all his habits, they put upon his jacket a poor yeoman-peadle's gown, threadbare and ill-shaped; also a townsman's cap on his head; and so delivered him up to the secular power, to be carried back to prison, where he was kept entirely destitute of money, and the intercourse of friends. Such was the cruelty and iniquity of the time, that men could not do good without punishment; and a gentleman was taken into custody by Bonner for giving some money to Cranmer to buy him a dinner.

The degraded archbishop had been imprisoned almost three years; and now he was condemned, every engine that could be thought of was employed to overturn his constancy, and make him recant. The gentleness and severity of his treatment were equally fatal to his firmness. He was removed out of prison to the dean's lodgings at Christ-church, where he was treated with great civility and respect.

The best divines the queen had in her party were sent to him every day, to argue with him upon his opinions, and to seduce him into a recantation.

with

with the hopes of life and preferment. They insensibly sapped his resolution more than all the bloody jeers of Bonner, in degrading him, had done. But, notwithstanding all that, his conquest was not easy. He had in his heart a thorough detestation of the Romish faith: the great things he had done for the reformation, the high expectations the world had of his sanctity, and the shame of public apostacy, long maintained in his breast so strong a struggle, with the hopes of life and the restitution of his honours, that his seducers were obliged to enhance the value of their gentleness to him, by a rougher course of usage, and by shutting him up in a confined loathsome prison. This was more than his resolution could bear, and his enemies were sensible, if he was once brought to waver, he must soon fall as low as they could wish.

Cranmer wrote to the queen, to justify his conduct and appeal: He thought, at first, to reconcile his safety to his principles, by owning the papal authority, upon the same footing that he and the other reformers had owned that of the two last kings; that is, a parliamentary right, confirming the proceedings of the king and queen in that respect. His enemies encouraged this hint, and seemed to wish to see, under his own hand, the concessions he was willing to make. They told him, the queen was resolved to have Cranmer a catholic, or no Cranmer at all: that he was beloved by the nobility, and his return would be acceptable to their majesties: that he was still strong and vigorous, and might live many years, if he would not willingly put an end to his own life by the terrible death of burning.

After shewing so much wisdom, fortitude, and Christian courage, he unhappily fell before these temptations.

temptations. The infirmities of human nature got the better, and he was persuaded to subscribe an abjuration of his religion, in hopes of prolonging his life, that he might finish his answer to Marcus Antoninus Constantius, meaning Gardiner.

His enemies obtained from him three different recantations; and Bonner drew up a fourth, which Cranmer signed on the sixteenth of February. But, as the malice of his enemies was infernal, so it was insatiate. Another, and another more prolix form of recantation was presented to him; and the unhappy Cranmer gave his hand to all. It was thereby declared, "That he renounced all manner of heresies and errors of Luther and Zuinglius: That he acknowledged the supremacy of the pope, and believed in all the absurdities of the church of Rome: That he required all such as had been deceived, either by his example or doctrine, to return to the unity of the church."

This recantation was immediately printed, and dispersed all over the kingdom. The papists received it with the loudest insults, and the reformed with great affliction. The queen was pleased, but not softened. Cranmer was too criminal in her eyes to hope for mercy. No conversion, however sincere; nor recantation, however ample, could cancel, in her mind, the memory of her mother's divorce and her own sufferings. As she had reason to believe that Cranmer was by this time thoroughly popish, a signal triumph must be prepared for that religion, and his tongue must accompany his hand in belying his heart. The cruel queen had made a merit of pardoning his private offences against herself, that she might put him to death with greater torment under a pretence of religious zeal; but, when she found her measures broke by his abjuration, she pulled off the mask, and

and shewed that nothing would satisfy her but his death. She said, that, as he had been the great promoter of heresy, which had corrupted the whole nation, what was sufficient in other cases, should not serve his turn, and she was resolved he should be burnt.

Cranmer was then sent back to his former prison, and the writ for his execution was sent down by lord-chancellor Heath, under the broad-seal, the latter end of February. The queen sent Cole, the provost of Eaton, to Oxford, with private instructions to prepare the sermon for his execution; and ordered the lords Williams and Chandos, and some other men of fashion, to be there on the day appointed, with their retinue, to prevent disturbance.

Cole visited Cranmer, affected great tenderness for his condition, and even gave him fifteen crowns to bestow upon the poor: but he was joined with a Spanish friar, and other tools of superstition, in the inhuman commission to prevail upon Cranmer to transcribe his recantation with his own hand, and read it to a public audience, in as full terms as could be devised. With this Cranmer complied; though, as soon as he should seal his own condemnation, it was ordered that he should be hurried to the stake.

Till this time, he had no suspicion that they intended to burn him after his abjuration. He now perceived to what this tended, therefore he resolved to disburthen his conscience, and revoke his recantation. He wrote a sincere confession of his faith, such as flowed from his conscience, and not from fear; which he was determined to make use of, when he saw his occasion.

On the twenty-first of March, 1556, which was the day appointed for his execution, Cranmer was brought

brought from the prison of Bocardo to St. Mary's church, and placed opposite to Cole, upon a low scaffold, in sight of the people. He was uncertain of his fate, and thought he was brought there to be a spectacle of shame, rather than an object of cruelty; for it was pretended, he was only to hear a sermon by Cole upon his conversion: but that sermon soon convinced him of the truth.

Never was there a more awful, or more melancholy spectacle beheld in England. A venerable archbishop, above 20 years the second man in the kingdom, and universally beloved for his innocence and sweetness of temper, now cloathed in rags, and set up as a gazing-stock to the world, betrayed, by falsehood and dissimulation, to act against his conscience, and hurried blindfold into eternity without warning! The papists thought to have a great triumph that day, in Cranmer's public recantation: but it turned against themselves.

Cole vindicated the justice of the queen in bringing Cranmer to the stake, though he had disclaimed his errors, and assured him there should be dirges and masses said for his soul in all the churches of Oxford after his execution.

It was not till after all hopes of life were vanished, that Cranmer shewed a becoming contempt of death. During the sermon, the motions of his body sufficiently discovered the sorrows of his mind. He turned his eyes to heaven, as hoping for pardon; he smote his breast in the bitterness of his spirit; every look was full of deep contrition, and every gesture of pathetic eloquence.

At last he was called upon by Cole to declare his faith, that he might give the world satisfaction of his dying a good catholic. While the audience was wrapt up in silent expectation of the event, Cranmer shewed great dignity of action; and  
kneeling

kneeling, said an excellent prayer of the mercy of God. He then rose up, and repeated the articles of the Apostle's Creed; professed, in the strongest manner, great veneration for the scriptures; and proceeded to give the hearers an excellent discourse upon their duties as subjects and Christians. By keeping in general terms, the audience considered all he said, only as a prelude to his recantation: but when he came to that part, he turned so quick, that amazement kept them silent then, as attention had done before. He professed the highest detestation of his apostacy in these words: "I come  
 " now to the great thing, that so much troubleth  
 " my conscience more than any other thing that  
 " ever I did or said in my whole life; and that is,  
 " the setting abroad of writings contrary to the  
 " truth; which here I renounce and refuse, as  
 " things written with my hand, contrary to the  
 " truth which I thought in my heart, and written  
 " for fear of death: and that is, all such bills and  
 " papers, which I have written or signed with my  
 " hand since my degradation, wherein I have  
 " written many things untrue; and, as my hand  
 " offended, contrary to my heart, my hand shall  
 " be first punished; for, when I come to the fire,  
 " it shall be first burnt. As for the pope, I refuse  
 " him as Christ's enemy, and Antichrist with all  
 " his false doctrine; and, as for the sacrament, I  
 " believe as I have taught in my book against the  
 " bishop of Winchester; which teacheth so true a  
 " doctrine of the sacrament, that it shall stand at  
 " the last day before the judgment of God, where  
 " the papistical doctrine, contrary thereto, shall be  
 " ashamed to shew her face."

It is impossible to express the confusion into which the whole assembly was thrown by this unexpected

expected declaration. Many of the reformed were present, who rejoiced at his conduct : but when the papists recovered their consternation, they charged him with falsehood, and bid him no longer dissemble : to which he replied, he always loved simplicity, and never dissembled before his recantation in all his life. He would have gone on farther about the sacrament, and of papacy ; but Coke cried, " Stop the heretic's mouth, and take him away." The monks and friars forcibly pulled him from the scaffold, and hurried him away to the stake where Ridley and Latimer had before been offered ; reproaching him all the way for retracting his abjuration.

We are to impute the behaviour of Cranmer, in the last scene of his bitter passion, to magnanimity rather than to despair. There was something in it so great, so noble and collected, that he seemed to rise a new being from his fall. But if his enemies were disappointed by his behaviour in the church, they were doubly so by that at the stake. As soon as he came to it, he prayed and undressed himself to his shirt with a chearful countenance. His shirt was made long down to his feet : his feet were bare, and so was his head, where a hair could not be seen. His beard was so long and thick, that it covered his face with wonderful gravity ; and his reverend countenance moved the hearts both of his friends and enemies. The friars tormented him with their admonitions ; while Cranmer gave his hand to several old men, and others that stood by, bidding them farewell.

When he was tied to the stake, and the fire kindled, he seemed superior to all sensation but that of piety. He stretched out his offending hand to the flame, which was seen burning for



some time before any part of the fire came to his body; nor did he draw it back, but once to wipe his face, till it was consumed; saying often, "This unworthy hand, this hand hath offended:" and as often using the words of the blessed martyr St. Stephen; "Lord Jesus receive my spirit," till the fury of the flames putting him to silence, he gave up the ghost.

He burnt, to all appearance, without pain or motion, and seemed to repel the torture by mere strength of mind; testifying a repentance for the fault which he had committed. He was so intrepid in his death, that it ought to cancel all reproach of timidity in his life. But the story of his heart being found entire in the flames, seems to have been forged and adopted by protestant fanatics; though bishop Burnet mentions it as a fact. Cranmer, however, is justly numbered among the noblest martyrs of Christ, and is much more worthy the name of St. Thomas of Canterbury, than he whom the pope falsely canonized in the reign of Henry the second.

Thus ended the life of archbishop Cranmer, in the sixty-seventh year of his age, and the twenty-third of his primacy; leaving an only son of his own name behind him. The meekness, humility, forgiveness, and benevolence of this prelate, rendered him amiable, as a man, beyond all expression; and, notwithstanding the public demands upon him, as the head of the reformation, he found time to discharge the proper duties of an archbishop.

The learning which he had acquired in the canon and civil law, was equal to that of his chief contemporaries; but his labours in searching into all ecclesiastical authors, ancient and modern, and making

making extracts from them, on all the points of religion, with his own hand, would have as much exceeded our comprehension, if it had not been so well attested, as it exceeded the diligence of all his predecessors in the chair of primates. His only defect, as a man of letters, was in his style, which was diffused and unconnected.

He is justly considered as the great apostle of the reformed church of England; and he has been ranked, not only with the greatest primitive bishops, but also with the fathers of the first class, who were the immediate successors of the apostles. To say, with his enemies, that he was subject to infirmities, is only saying, that he was a man; while we dare not, with his friends, pretend that he was all perfection in a mortal state. "In short," says a learned divine, "if we look at Cranmer in all points of view, we must allow him to have been a prodigy of a man; his equal was never seen yet in the see of Canterbury; and, I will take upon me to say, that his superior never will be."

He was succeeded by cardinal Pole in the primacy, who was willing to stop the carnage that Bonner made among the reformed. Pole had as great probity and virtue as most of the age, if not as all of that church, in which he lived; but he could not soften the cruelty of the queen, whose reign ought to be transmitted down to posterity in characters of blood; as her persecution was the most terrible that raged since the time of Dioclesian. It was short, hateful and inglorious; but, while she swayed the sceptre, no less than two hundred and eighty-four lives were offered up at the stake. It is even said, that above four hundred were executed in public, besides those murdered

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dered secretly in prisons. But the cloud was removed with her death, and her successor was the bright star under whose auspicious influence the reformation was revived, re-established, perfected, and perpetuated to our days, who look up to Cranmer with veneration and gratitude, as the pillar of our church, the glory of religion, an ornament to virtue, and an honour to learning.



THE

In the year 1560 followed the treaty of Edinburgh, wherein, amongst many other things, it was agreed, that the king of France and queen Mary should leave off bearing of the title and arms of England and Ireland; but, when the time of confirming the same came, and queen Elizabeth sent into France to have it ratified, as she had done, Throgmorton the ambassador could not bring them to do it by any means; and, while the matter hung in suspense, and rested undetermined, Francis II. king of France, not being eighteen years of age; and, in the second year of his reign died, and left the queen of Scots a widow, whether to the greater grief of the Romanists, or joy of the Protestants in Britain, is not easy to be determined.

The following year, Francis, earl of Bedford, was sent into France, to condole with Charles IX. on the death of his brother, and both by himself and Throgmorton, he importuned the queen of Scots to confirm the treaty of Edinburgh, but in vain; for she gave no other, but that she could not, nor would not, determine on so important a matter, without the consent of the nobility of Scotland.

The queen of Scots intending to return into Scotland, sent Monsieur d'Oysell to require a safe conduct of queen Elizabeth to pass by sea, and also for M. d'Oysell's safe passage through England. Queen Elizabeth, before a great multitude of people, denied both the one and the other, for this cause, she said that she had not ratified the treaty of Edinburgh; which, if she did, she promised to shew all kindness that might be expected from a queen, from a cousin, and from a neighbour. The queen, being vexed at this repulse, sent for Throgmorton, with whom

and had not done this to Mary queen of England, who had proclaimed war against him. But Henry's sudden death, which happened soon after, put an end to his attempts.

But Francis II. who succeeded him, and Mary queen of Scots, his wife, by the advice of the Guises, who were then of great authority in France, openly assumed the sovereignty of England and Ireland; neither did they abstain from claiming the arms, but set them out more and more. And, to Nicholas Throgmorton, the ambassador, a man both wise and valiant, it was first answered, That it was lawful for the queen of Scots to bear them with some little difference, to shew the proximity of her blood to the royal family of England. He stiffly denied it, saying, that by the law of arms, no one, who was not begot of the heir himself, might bear the arms of any family.

Afterwards they said, they bore the arms for no other reason, than to cause the queen of England to abstain from bearing the arms of France. Yet, at length, he gained his point, at the intercession of Montmorancy, who did not love the Guises, and they left off the arms of England and Ireland altogether. But yet, from this title and usurpation of arms, which Henry made the queen of Scots take on her, (moved thereto by the Guises) proceeded all the misfortunes which came so thick upon her afterwards, as from the original cause. For from hence queen Elizabeth was an open and professed enemy to the Guises, and bore a secret hate against her, which the crafty malice of men so nourished, the emulation increasing between them, and new occasions rising daily, that they could not be extinguished, but with her death.

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she had a long conference about this matter, which we shall briefly set down out of the letters of Throgmorton, that the original and progress of the private malice which was between the greatest and wisest princesses of that age, may more evidently appear. She, dismissing all the standers by, said thus to Throgmorton: "What is my womanly weakness, and how far the passion of my mind may carry me, I know not, yet it liketh me not to have so many witnesses of my weakness, as your lady lately had when she talked with Monsieur d'Oysel my ambassador: nothing grieveth me so much as that I did ask those things which were not needful; by God's favour I can return into my country without asking her leave, as I came hither in despite of her brother Edward. Neither want I friends, which can and will bring me home, as they brought me hither; but I had rather have used her friendship, than of any other.

"I have often heard you say, that the amity between her and me was necessary to both our kingdoms, yet it seemeth that she thinketh otherwise, or else she had not given me the repulse in so small a matter; but, perhaps, she beareth more favour unto the Scots, who rebel against me, than to me the queen of Scots, equal to her in princely royalty, her nearest kinswoman, and most certain heir unto her. Dost thou think, that that good-will and love can be between my rebellious subjects and her that may be between her and me? What! doth she think that I shall be destitute of friends? Assuredly, she hath driven me to ask help of whom I would not willingly. And they cannot wonder enough for what purpose she gave aid lately unto my subjects. I ask nothing of her but  
"amity;

“ amity; I procure no trouble unto her, nor  
 “ meddle not with the affairs of England. But  
 “ yet, I am not ignorant that there be many in  
 “ England who are not content with the estate as  
 “ it is now.

“ She twitteth me, and saith, that I have small  
 “ experience; I confesse it; age bringeth expe-  
 “ rience with it; yet I am so old, that I can be-  
 “ have myself friendly, kindly, and justly toward  
 “ my kinsfolks and friends, and keep my tongue  
 “ from speaking any thing, not bebecoming a  
 “ queen and a kinswoman. But, by her leave,  
 “ I may say, that, as well as she, I am a queen,  
 “ neither destitute of friends, and to bear no less  
 “ high mind than she, and it may bebecome us to  
 “ measure ourselves with a certain equality; but I  
 “ forbear comparison, which is little better than  
 “ contention, and wanteth not evil will.

“ As for the treaty of Edinburgh, it was made  
 “ in the life of the king my husband, whom it  
 “ was my duty to obey in all things, and since  
 “ that he delayed the confirmation of the same,  
 “ let the blame be in him and not in me. After  
 “ his death, the counsellors of France left me to  
 “ my own counsellors; neither would my uncles  
 “ meddle with the affairs of Scotland, because  
 “ they would not offend queen Elizabeth nor the  
 “ Scots. The Scots that be with me be private  
 “ men, nor such fit men that I should ask counsel  
 “ of them in such great matters.

“ As soon as I shall have the advice of the  
 “ estates of my realm, I will make a reasonable  
 “ answer, and I will make all the haste I can  
 “ home, to give it the sooner. But she deter-  
 “ mineth to stop my way, lest I should give it, so  
 “ she is the cause that I cannot satisfy her; or  
 “ else she would not be satisfied, perhaps, for the  
 “ intent



“ intent that there may be no end of discord between us.

“ She casteth often in my teeth, that I am a young girl, as a reproach, and truly she may justly think me an unwise girl if I dealt in these weighty affairs without the advice of the estates. A wife is not bound, as I have heard, with the deeds of her husband, neither in her honour, nor in her conscience : but I do not dispute this thing, yet I may say this thing truly ; I have done nothing to my dearest sister, which I would not have done to myself ; I have used all offices of courtesy and kindred ; but she either believeth not, or contemneth them : I would to God I were so dear to her, as I am near of blood, for this were a precious kind of kindred. God forgive them that sow the seeds of dissention between us (if there be any such.) But thou who art an ambassador, tell me in good sooth ; for what cause she is so displeased with me, who never hurt her hitherto either in word or deed.”

To this Throgmorton made answer : “ I have no commission to answer you, but to hear what your answer is, about the confirmation of the treaty of Edinburgh. But, if it please you to hear the cause of displeasure, I will lay it down in few words (laying aside the character of an ambassador.) As soon as the queen my lady and mistress was crowned, you did usurp the title and arms of England, which you did not take in the reign of queen Mary ; judge you, in your discretion, if a greater affront can be offered to a prince : such injuries as this, private men cannot disgest, much less princes.”

“ But, said she, my husband’s father, and my husband himself would have it done, and commanded

“manded it to be so. After their decease, when  
 “I was mistress of my actions, I left off wholly  
 “both those arms, and the title, but yet I know not  
 “how it can be any wrong to the queen, if I also a  
 “queen, whose grandmother was eldest sister to  
 “Henry VIII, bear these arms, since others farther  
 “off than I bore them: I am sure, Courtney,  
 “marquis of Exeter, and the duchess of Suffolk,  
 “niece unto Henry VIII, by his younger sister,  
 “bore the arms of England, with borders for a  
 “difference, by a special favour.”

This not satisfying queen Elizabeth, who was  
 fully persuaded that she put in delays upon some  
 higher view, since she had not proposed to the  
 estates of Scotland, who had once or twice assembled  
 since her husbands death, any thing about the  
 confirmation of the treaty; she being upon  
 her way, sent for Throgmorton again to Abbeville,  
 where she courteously asked him, how she  
 might satisfy queen Elizabeth in word or deed:  
 he said, by ratifying the treaty of Edinburgh, as I  
 have often said. To this she answered, “Now  
 “hear and judge, if there be not most just reasons,  
 “which she calleth delays and vain excuses;  
 “the first article in it, of ratifying the treaty of  
 “Chasteau Cambresy, between England and  
 “France, pertaineth nothing unto me. The  
 “second, of ratifying the treaty between England  
 “and Scotland, was ratified by my husband and  
 “me; neither can it be ratified again, when my  
 “husband is expressly named in it. The articles  
 “3, 4, and 5 are already performed, for the preparations  
 “for war are ceased. The French soldiers are called  
 “back out of Scotland, and the fortress of Aymouth is  
 “demolished, I have not borne nor used the title nor  
 “arms of England since my husband’s death. It is not in my power  
 “to

“ to put them out of the household stuff, buildings,  
 “ and letters-patents through France, as it is not  
 “ in my power to send into England the bishop of  
 “ Valence and Randan, who are not my subjects,  
 “ to dispute about the sixth article. And, for the  
 “ last article, I hope my seditious subjects shall not  
 “ have cause to complain of my severity. But, as  
 “ I perceive, she will prevent me by stopping my  
 “ return, that they shall not have trial of my cle-  
 “ mency; what remaineth now in this treaty,  
 “ which may be wrong to the queen? Yet, that  
 “ I may give her satisfaction more abundantly, I  
 “ will write larger letters of this business with  
 “ mine own hand, though she doth not vouchsafe  
 “ to write back unto me, but by her secretary:  
 “ but I pray you, my lord ambassador, do the part  
 “ of an ambassador, that is, rather mollify, than  
 “ exasperate these matters.”

But yet queen Elizabeth was not satisfied with  
 these letters, being highly incensed in using the  
 arms and title of England; and still she was afraid,  
 lest she should challenge them again, if she were  
 not bound and tied thereto by the confirmation  
 of the treaty and the religion of an oath.

In the mean while, the queen of Scotland, get-  
 ting a good gale of wind, departed from Calais,  
 and, in a foggy mist, passing by the English ships,  
 which some thought were sent to sea to convey  
 her with honour; others, to suppress pirates; and  
 others said, to intercept and take her, arrived safe  
 in Scotland: for James the Bastard, very lately  
 returning by England, had secretly persuaded  
 queen Elizabeth to take her by the way, if she  
 had a desire to provide for religion, and her own  
 security. And Lisleington, being glad that d'Oy-  
 sell was detained in England, persuaded it also.

She being returned into Scotland, used her  
 subjects

subjects with the utmost tenderness, changed not their religion (though it had been established by tumults) and began to settle the commonwealth by enacting good laws. She soon after sent Lidington to queen Elizabeth with her letters, and those of the nobility of Scotland; in which she promised to preserve amity with her, and desired that a certain form of peace might be made between England and Scotland; and that there was none more certain, than if queen Elizabeth, if she should have no issue, would declare her by the authority of parliament, invested with a right of succeeding to the crown;

This thing seemed strange to queen Elizabeth, who expected the confirmation of the treaty of Edinburgh, promised by word, and by her handwriting, yet she answered, "As concerning the succession, she hoped the queen of Scotland would not, by violence, take her crown away from her and her children, if she had any: she promised not to derogate any thing of her right to the crown of England, although she had claimed the title and arms of England, through the too much hasty ambition of other men, for which injury it was meet that she made satisfaction. By setting down her successor, she feared lest their friendship should be rather dissevered than consolidated: the people, such is their inconstancy upon present things, do look after the rising sun, and forsake the sun-setting; and the successors designed cannot keep within the bounds justice and truth, their own hopes, and other mens lewd desires. Moreover, if she should confirm the succession unto her, she should thereby cut off the hope of her own security, and being alive, hang her winding-sheet before her own eyes, yea, make her own funeral feast alive, and see the same."

After

After she had answered in this manner, she sent again her letters by Peter Mewtas, entreating her in the mildest terms to confirm the treaty. Neither did the other directly deny it, but insinuated, that she could not do it, until she had set the affairs of Scotland in good order.

In the year 1562, Margaret, countess of Lennox, niece to Henry VIII, by his eldest sister, was delivered as prisoner to Richard Sackvill, and her husband the earl of Lennox, was assigned to the master of the Rolls in the same manner, having had secret intelligence by letters, with the queen of Scots, in which custody both of them were kept a considerable time.

Not long after, Henry Sidney was sent to the queen of Scots, whose message was, that the interview which she desired to have with queen Elizabeth, might be put off till the next year, or till the French war was over.

At this time it was debated, whether it was for any good purpose that these two princesses should have an interview or conference: for, the queen of Scotland requiring it, caused a suspicion, that she did it with some interested views, either to strengthen her right in England, to encourage the papists in England, and her cousins the Gueses in France. On the other side, some thought hereby a most firm amity might be concluded between them, the league between the French and Scots weakened by little and little, and the queen of Scots gained over to the protestant religion.

Others observed, that out of such interviews, or conferences, grew the seeds of emulation rather than of love, when one should hate and repine at the ostentation of the others wealth and power. Neither did the queen of Scotland think it safe to deliver herself into the hands of queen Elizabeth,  
with

with whom she had contended for the right of succession to the crown. Her scruples were greatly increased, when she heard that queen Elizabeth stood openly for the protestants in France, whilst she considered (as she wrote herself) that she came by her father from the English blood, and by her mother from the French; that she was crowned queen and dowager of France, and had a just title to succeed to the crown of England; that she was much indebted to her uncles in France, who had brought her up; and that she much desired the love of queen Elizabeth.

Yet she feared, such was her piercing understanding, lest, if she made a strict alliance with her, she might incur the ill-will of the French king, be abandoned by her uncles, and lose her dowry out of France, by preferring the uncertain friendship of queen Elizabeth; which, to use her own words, passed not beyond the person, before the certain love of the French. Hereupon the conference, which had been treated of many months, and the articles also drawn, came to nothing, especially when she, by her letters, utterly refused to come to the interview, except she might be declared heir apparent of England by authority of parliament, or else be adopted by queen Elizabeth to be her daughter, to lay a foundation of a most certain peace and union of both kingdoms, so often desired.

If these things were granted, she promised to devote herself wholly to queen Elizabeth, and not to respect and regard her uncles the Guises. In these letters she likewise insinuated, that she urged these things the more vehemently, because she had heard, that there were many secretly devised to bring in another successor, and that only for the  
cause

cause of religion, though she tolerated in Scotland the religion of the protestants.

But, when the cardinal of Lorraine, at the same time, treated with the emperor Ferdinand, that she might marry his son Charles the archduke, who then solicited queen Elizabeth in marriage, queen Elizabeth threatened her by Thomas Randolph, that if she consented to what was proposed by the cardinal, the mortal enemy of England, about that marriage, both that the amity between England and Scotland would be dissolved, and perhaps she excluded from her hope of the succession of England; and, if she would not relinquish it, she in a friendly manner advised her to chuse a husband in England, in whose choice she might please herself, and give satisfaction to her own subjects, and also to the English, in the preservation of the peace, and make the way smoother and plainer to her assured succession in England, which could not be published and made known until it was certainly known whom she would take to her husband.

In the year 1563, when, in the heat of the civil wars of France, the duke of Guise, uncle to the queen of Scotland, was slain, her dowry out of France was not paid, Hamilton, duke of Chastelaunoy, was deprived of his duchy, and the Scots were deprived of the captainship of the guard; which she took very ill. The cardinal of Lorraine, another of her uncles, fearing lest hereupon she leaving the French, might attach herself to England, proposed again by Crocus, the marriage with Charles of Austria, offering her the county of Tyrole for her dowry. She acquainted queen Elizabeth with the matter, who by Randolph, gave her those former admonitions about the chusing of a husband; and then in plainer terms,

Terms commended Robert Dudley, and promised, that if she would marry him, she should be declared by the authority of parliament, sister, or daughter, and heir-apparent of England, if she died without issue. As soon as the queen-mother and her uncles heard this by Foixius the French ambassador in England, they so disdained the marriage with Dudley, as altogether unequal and unworthy to match with a royal family, that they promised not only to pay her dowry, but also to restore to the Scots all their former privileges, if she would persist firmly in the friendship of France, and refuse the marriage proposed to her; moreover, they suggested that queen Elizabeth proposed this marriage not seriously, but as a blind, though she had intended Dudley for her own husband; and that there was no cause why she should put any trust or confidence in the authority of a parliament, since that in England one parliament may repeal that which another hath enacted. Moreover, that the purposes of the English were no other, but by one means or other, to keep her always from marriage.

However, she referred this matter to a conference, being greatly perplexed and troubled at home, when Murray cast into prison the archbishop of St. Andrews for saying mass. And the hot-spirited ministers of the church, protected by the authority of Murray, offered violence to a priest who had said mass in the court, which was permitted by the law. Neither was she able to repress the seditious, though she applied all her mind to the good of the commonwealth, by granting a general pardon, increasing the fees or wages of the judges, by making wholesome laws, as making adultery punishable by death, and sitting her-



in judgment, in order to make by law the  
greatest equal with the lowest.

In the year 1564, queen Elizabeth created Robert Dudley, master of her horse, a man in high favour with her, whom she intended to match with the queen of Scotland, baron of Denbigh, giving him Denbigh, with the demesnes, and the next day earl of Leicester, to him and his heirs-male lawfully begotten: for whose sake also she had before created his elder brother Ambrose baron Lisle, and earl of Warwick, and to his heirs male lawfully begotten; and to Robert, his brother, and to the heirs male of his body lawfully begotten.

Dudley, advanced to these honours, to gain favour with the queen of Scotland, to whom he paid his addresses, he made his utmost endeavour to deserve well of her, and forthwith accused Bacon, keeper of the great seal, to the queen, for having opposed the queen of Scotland's succession, and been privy and accessory to a pamphlet wrote by one Hales, who attempted to prove the right of the crown of England to belong to the family of Suffolk, if the queen died without issue, for which he had been put in prison: but Bacon, though he denied what he was charged with, was, with much ado, and after a long time, restored to the queen's favour by Cecil, who kept his own opinion in that point secret to himself, and always determined to do so, unless the queen commanded him to spurn his mind; for she could not endure, of all things, to have the right of succession called into question and dispute; but the wiser and the richer were troubled with nothing more, whilst, in the debates of religion, the jealous protestants thought the queen of Scotland was to be put by a

jected, because she was of another religion, tho' her right was undoubted.

Some of the Romanists, and most that regarded equity and justice, thought she was to be received, as the true and certain heir by the law. And many preferred Margaret, aunt to the queen of Scotland, the wife of Matthew Stewart, earl of Lennox, and her children, as those of whom they hoped the best, as born in England.

These things were not unknown to the queen of Scotland, who, to prevent it as much as she could, by the advice of the countess of Lenox her aunt, sent for Matthew earl of Lenox, to come into Scotland, under pretence to restore him to his ancient patrimony; but indeed to ask him counsel in these affairs, who by his wife's means obtained leave, and also letters of recommendation from queen Elizabeth, after he had been banished from his native country now full twenty years.

He was born of the same stock of the Stewarts, as the royal family of the Scots was: for Mary, daughter to James II. king of Scotland, bore to James Hamilton, James I. of this stock, earl of Arran, and Mary his daughter, wife to Matthew Stewart, earl of Lennox, the first of this Christian name. James, earl of Arran, his first wife, being divorced, and yet living, married Jenet Beton, aunt to cardinal Beton, by whom he had James, duke of Chasteauleroy, whom his adversaries here-upon accounted a bastard. Mary, sister to the earl of Arran, bore to Matthew, John, earl of Lennox, who, being slain by the Hamiltons, when he attempted to restore James IV. to his liberty, left this second Matthew Stewart (of whom we speak) earl of Lennox, very dear to James I, on his father's account.

## The LIFE and DEATH

ut Matthew, (the king being dead, and the miltons having all the government in their ver) departed secretly into France, from whence was sent by Henry II, the French king, to see at the commonwealth of Scotland suffered no harm by Hamilton the regent; and herein he acted worthily; but being a plain and honest-minded man, (and entangled by the craft and policy of cardinal Beton, and Hamilton) he lost the favour of the French king in a short time; and, when he could neither continue at home, nor return into France, he came into England, and submitted himself to Henry VIII, who accepted him as a man well-beloved in the west borders, and acknowledged him as next heir to the crown of Scotland, after Mary then an infant, (though the Hamiltons confiscated all his possessions, as those of a traitor condemned) and married him to the lady Mary Douglas his niece, by his eldest sister, giving him lands in England, worth yearly of the old rent seventeen hundred marks, he promising, for his part, to deliver into the hands of the king of England, the castles of Dunbritton, the isle of Butha, and the castle of Rothsay; which places, though courageously and valiantly attempted, could not yet be taken possession of.

The queen of Scotland sent for this man, and restored him to his ancient possessions, as well that she might oppose him against the attempts of James the Bastard, as also, to put others out of hopes of the succession of England, by his son Henry Darnly: for, if that young man, born of the royal blood in England, and well beloved of the English nation, should marry with some of the great families of England, the feared, that he, supported with the power of England, might be an obstacle in her way, in the right of her

her succession in England, since he was accounted, in most mens opinion, the second heir of the crown of England after her; and, there was nothing she more wished, than that the realms of England and Scotland might devolve by her means to some of the race of Scotland, and by him might be propagated to posterity, in the ancient surname of the Stewarts.

This came to the knowledge of queen Elizabeth; and, to prevent her design, she declared to her by Randolph, that that marriage was so universally disapproved by the English, that she adjourned the parliament against the will of her council till another time, lest the States, incensed thereby, should make some act against her right in succession; to prevent which, she intreated her not to do so, but to give satisfaction to the English, by thinking upon some other match. And now, she again recommended Leicester (whom she had advanced to the degree of an earl upon that account) with more earnestness than before,

Upon this occasion, in the month of November, a conference was held at Berwick upon the marriage with Leicester by the earl of Bedford and Randolph, and for her, were Murray and Lidington commissioners, The English promised firm amity, perpetual peace, and certain hope of the succession, if she would marry with Leicester; for, upon this condition, queen Elizabeth had promised to declare her daughter adoptive, or sister by authority of parliament,

The Scots stood hard to it, that it was not for the dignity of a queen, solicited in marriage by Charles, the son of the emperor Ferdinand, the king of France, the prince of Condé, and the duke of Ferrara, to descend so low as to marry a new-made earl, and a subject of England, upon a

hope only, and no dowry being offered; adding, that it was neither honourable to the queen of England, to recommend so mean a husband to so great a princess, her next kinswoman; but, that it would be a certain proof of love, if she would permit her at her own choice, to elect herself a husband, who should keep peace with England, and, at the same time, assign her a good annuity, and confirm the right of succession by the authority of parliament.

In all this business, queen Elizabeth earnestly desired, that the succession of both the kingdoms might be established in the English nation, tho' she was slow in her proceedings upon that occasion.

The queen of Scotland, when the matter had been a subject of debate for the space of two years, now determined to take Darnly for her husband, suspecting that queen Elizabeth did not deal sincerely with her; but, that she proposed this marriage for no other end, but that she might make the first choice of the best suitor for herself, or else might the better palliate her own marriage with Leicester.

But the Scotch delegates, having their private views, determined by one way or other to lay some obstacle in the way of any marriage, that they might still retain their authority with the queen. Queen Elizabeth had required the commissioners to hinder the marriage with Darnly; and Leicester himself, thinking he was secure of queen Elizabeth, intreated Bedford secretly by his letters, not to urge the matter much. And upon this hope it is thought he favoured Darnly with the knowledge of the secret.

In

In the mean time, Darnly got leave, with much difficulty, to go into Scotland, and to stay there three months, by the earnest and humble suit his mother made to queen Elizabeth, under colour, that he might be present at the restoring of his father; and so he went to Edinburgh, in the month of February, 1564. He was a young man, of a fine person, of a mild disposition, and engaging behaviour.

As soon as the queen of Scotland saw him, she fell in love with him, and, to conceal her love, she talked now and then to Randolph, the English ambassador in Scotland, about the marriage with Leicester, and at the same time sent to Rome for a dispensation, because Darnly and she were so near of kin that a dispensation was necessary by the canon laws. But when these things came to light, she sent Lidington to queen Elizabeth, to desire her consent to marry Darnly, that she might not be kept any longer unmarried upon vain expectations.

Queen Elizabeth proposed the matter to her privy-council, who, by the secret suggestions of Murray, easily believed, that the purpose of the queen of Scotland, tended, by this marriage, to strengthen, and again to claim, the title and her right to the realm of England, and to establish the Roman religion again; and, that many would adhere to them, upon the certainty of their succession coming of this marriage, and others through their attachment to the Roman religion, and as they knew that most of the justices of peace were addicted to it.

To prevent these things, they thought it highly necessary, first to prevail upon the queen to marry speedily some husband, that, on the certainty of succession by her and her issue, the affairs and hopes

of Englishmen might depend, for they feared that, if the queen of Scotland married first, and had issue, most of the people would incline to her side, because of the certainty of the succession. Secondly, that the profession of the Roman religion should be weakened, as much as might be, and that of the reformed diligently advanced and established: this, by dealing more moderately with some hot-spirited protestants about things indifferent; and the other, by making the deprived bishops return to their prisons (for they had been dispersed into the country in the time of the great plague) by giving the bishops more ample authority to exercise the ecclesiastical laws, by suppressing books coming from the Low-Countries into England, wrote by Harding, and the divines who at that time were fled over the seas, by removing certain Scottish priests that lurked in England; by depriving the English fugitives of their ecclesiastical livings, which they enjoyed till this time; by compelling the judges of the land, who, for the most part, were papists, to take the oath of supremacy. But, to disturb the marriage with Darnly, it was thought best to put them in fear, by mustering soldiers upon the borders toward Scotland, and by putting a garrison into Berwick: that the countess of Lenox, mother to Darnly, and Charles her son, should be committed to prison: the earl of Lenox, and Darnly, his son, should be recalled out of Scotland, upon pain of forfeiting all their goods, before any league could be made by them with the kings of France or Spain: that the Scots enemies to the marriage should be countenanced, and Catharine Gray, with the earl of Hertford, should be received into some favour, of whom, as of her competitor in the succession of the kingdom, she seemed somewhat afraid

afraid. This was all they could devise to hinder the marriage.

Hereupon Nicholas Throgmorton was sent to the queen of Scotland, to advise her to deliberate long on what was to be done but once; to remind her that repentance always followed hasty marriages, and to recommend earnestly the marriage with Leicester, and that the marriage with her aunt's son was contrary to the canon law; for queen Elizabeth very much desired, that by her some of the English notion might succeed in both kingdoms; though there were some that thought it would be the best for religion, and both realms, if she died without issue.

She answered the matter could not be recalled, and that queen Elizabeth had no cause to be angry, when, according to her counsel, she had chosen not a stranger, but an Englishman, and one born of the royal blood of both kingdoms.

Lidington residing in England, often proposed the marriage of the queen of Scotland to Leicester, and also to the duke of Norfolk, as to one worthy of a princess's marriage; but he modestly declined it.

The queen of England, to interpose some impediment to this hastened marriage, called back Lenox and Darnly, as her subjects, according to the times expressed in their licece. The father excused himself modestly in his letters: the son desired that she would not be against his preferment, and insinuated, that it might be for the advantage of his dear country England; and openly professed himself a lover and admirer of the queen of Scotland, above all others; who, to requite his love, first made him knight, and afterwards lord Ardmanoch, earl of Ross, and duke of Rothsay, and, the first month after his coming into Scotland,



land, chose him for her husband, with the consent of most of the noblemen, and proclaimed him king.

Murray, who had nothing in view but to gratify his own ambition, and under the specious pretence of religion, had drawn in the duke of Chasteaule-roy, an honest man, to embrace his party, murmured ; and others raised tumults, and argued these questions :

Whether a papist was to be received to be their king ?

Whether the queen of Scotland might chuse herself a husband at her own directions ?

Whether the noblemen of the land, might not, by their authority, appoint her a husband ?

The queen of England, who knew the mild disposition of Darnly, and the plain and honest mind of the father, taking compassion of the young man her cousin, and of the queen, a young woman, who had to deal with turbulent persons that, having been above twenty years free from the government of kings, could not now endure any master, took it more quietly.

Neither had she any apprehension, when she saw the power of the queen her adversary not increased by that mean match, and had the mother of Darnly in her power ; foreseeing that troubles would arise hereupon in Scotland, which began soon after : for many noblemen of Scotland, as Hamilton and Murray, were displeased with the marriage ; the one, because the marriage was made without the consent of the queen of England ; the other, upon a spight against the family of Lenox ; but both of them under the pretext of the preservation of religion, displayed their banners in a hostile manner, to disturb the marriage ; so that the queen was forced to levy forces, that the marriage

riage might be celebrated with security; and then she so fiercely pursued the rebels, with the help of the king her husband, that she made them fly into England, before the bands of Englishmen promised to them could come: but the queen of England covertly granted a place of refuge to Murray, who was wholly devoted to the English, and secretly maintained him with money by Bedford till he returned into Scotland, which was the day after the murder of David Rizzo.

The causes which queen Elizabeth assigned, why she admitted Murray, and the Scottish rebels, into England, were, that the queen of Scotland had received Yaxley, Standen, and Welsh, English fugitives, into Scotland; and received O'Neale, a great man of Ireland, into her protection; had intelligence with the pope against England; and had not done justice on the thieves on the borders, or on pirates.

Queen Elizabeth, not forgetful of the Scottish affairs, a month or two after the marriage, sent Tamworth, a gentleman of her privy chamber, to the queen of Scotland, to warn her not to violate the peace, and to expostulate with her, for her hasty marriage with the native subject of England, without her consent, and to request that Lenox and Darnly might be sent back to England, according to the league; and, that Murray might be again received into favour.

She, suspecting his errand, admitted him not to her presence, but, in articles delivered in writing, promised, on the word of a prince, that neither she nor her husband would attempt any thing to wrong the queen of England, or her children lawfully begotten, or the quiet of the realm, either by receiving fugitives, or by making league with strangers, or by any other means; yea, most willingly,

lingly, that they would make such league with the queen and realm of England, which might be profitable and honourable for both the realms; neither that they would innovate any thing in the religion, laws, and liberties of England, if at any time they should possess the kingdom of England: yet upon this condition, that queen Elizabeth would fully perform this thing on her part toward her and her husband: viz. by parliament establish the succession of the crown of England in her person and her lawful issue; and, if that failed, in Margaret countess of Lenox, her husband's mother, and her children lawfully begotten. As for the other things, she answered, That she had acquainted the queen of her marriage with Darnly as soon as she was fully determined to marry him, and had received no answer from her: That she had satisfied the queen's demands, so far as she had not married a stranger, but an Englishman born, who was the noblest in birth, and worthiest of her, in all Britain, that she knew: but it seemed strange that she might not keep with her Darnly, whom she had married, or not keep Lenox in Scotland, who was a native earl of Scotland. As for Murray, whom she knew to be her mortal enemy, she, in fair words, besought her to leave her subjects to her own discretion, since that she did not intermeddle in the causes of the subjects of England.

With this answer Tamworth returned, not respected, as he thought, according to his rank and place, but, to say the truth, had insolently attacked the reputation and credit of the queen of Scotland with slander, and had not vouchsafed to give her husband the title of king.

In June, 1566, the queen of Scotland was delivered of her son James, who was afterwards king  
of

of England, which she signified directly to queen Elizabeth by James Meluin. Elizabeth, though she was grieved at the heart, that the honour of being a mother was borne away before her by her adversary, yet she sent Henry Killigrew to congratulate her on her safe delivery, and the birth of a son ; and to request her not to favour any more Shane O'Neale. then rebelling in Ireland, nor to entertain Christopher Rokeby, who had fled from England, and to punish certain thieves upon the borders.

Shortly after, the estates of the realm in the parliament held at London, moved the queen earnestly to marry, and to set down and nominate her successor ; but she by no means could be prevailed on to do it. Yet, that it might appear to the world, whom she thought lawful successor, she cast into prison Thornton, the reader of the law at Lincoln's-inn, in London, at that time, of whom the queen of Scotland had complained, that he, in his reading, had called in question, and made a doubt of the right of her succession.

The time being come for the baptizing of the prince of Scotland, the queen of England being requested to be god-mother, sent the earl of Bedford with a font of massy gold for a gift, and commanded, expressly, that neither he, nor any Englishmen that accompanied him, should vouchsafe to call Darnly by the name of king.

That ceremony being finished, the earl of Bedford treated with the queen of Scotland about other things contained in his commission : that is to say, that the domestic contentions between her and her husband might be accommodated, (for some malicious, sworn enemies to them both, had, by underhand practices, occasioned a misunderstanding between them) and the treaty of Edinburgh

burgh ratified. This last she positively refused, alledging, that in the treaty there were many articles that might derogate from her own and her children's right to the crown of England. Yet she promised to send commissioners into England, who should debate concerning the confirmation thereof, changing some words; namely, that she should forbear to use the title and arms of England whilst queen Elizabeth lived, and her children; as though it were meant in the treaty, that she should forbear to use them for ever: and also should declare to her, how injuriously she was treated by their villainous devices, that abused the simplicity and credulity of her husband, in a manner not to be endured: and how she, being sickly and weak, in her letters commended her young son to the protection of queen Elizabeth. In which letters, "though she knew," these are her own words, "that she is the undoubted rightful heir of England, after queen Elizabeth, and that many devise sundry things against that right," she promised that she would not urge any more any declaration of her right, but that she will help, assist, and adhere to her always with all her power, against all persons.

But, before those commissioners came from the queen of Scotland, and a month or two after the prince was christened, the king her husband, in the one and twentieth year of his age, in the dead time of the night, was strangled in his bed, and cast into a garden, and the house blown up with gunpowder.

A rumour was spread immediately over all Britain, and the fault was laid upon Morton, Murray, and their confederates: and they insulting the weakness of her sex, charged the queen herself with it.

What

What Buchanan has written upon this subject, as well in his History, as in a pamphlet called *The Detection*, is universally known by these printed books. But since he, biased by partiality, and gained by the gifts of Murray, wrote in that manner, those books were condemned as false by the states of the realm of Scotland, to whom more credit is to be given : and he afterwards repented that he had written so bitterly against the queen ; wishing, at his death, that he might have lived long enough to wipe out, with a recantation, or with his blood, the spots and stains with which he had aspersed her character. But that, as he said, would be to no purpose, since he would appear to doat for old age.

We shall therefore endeavour, in few words, to lay open the matter as fully as it has come to our knowledge, as well from the writings of other men, which were published at that time, but suppressed in favour of Murray, and through hatred to the queen, captive in England, as also from the letters of ambassadors, and of men of credit.

In the year of our Lord 1558, at the marriage of Francis the dauphin, and of Mary queen of Scotland, James, the queen's bastard-brother, commonly called the prior of St. Andrew's, disdaining that religious appellation, sued for a more honourable title ; which, when she by the advice of the Guises her uncles would not grant, he returned into Scotland much offended, and began to raise disturbances under the pretence of the reformation of religion, and securing the liberty of Scotland ; and effected it so far, that religion was changed into an assembly of the confederates, without the queen's knowledge ; and the Frenchmen were removed out of Scotland by the help of the English men they had brought in,

Francis,

Francis, the king of France, being dead; he posted into France to his sister, and entirely disclaiming whatsoever had been done in Scotland against her profit or credit, solemnly promised to do her all the kind offices which a sister could expect at the hands of a brother: and, conceiving hopes that she being bred up, from her tender years, in the delights of France, would not return to Scotland, dealt with the Guises, that some one of the Scottish nobility might be named regent of Scotland; and insinuated, that he himself was the fittest man. But, when he was sent back into Scotland, with no other authority but only with letters patents, wherein the queen gave authority to assemble the nobility, and to advise and confer about the good of the commonwealth.

He, being dejected and disappointed in his hopes, in his return through England, in a rage and fury, put into their heads, that, if they desired, or had a care of the preservation of religion in Scotland, the tranquility of England, and security of queen Elizabeth, they should hinder the return of the queen of Scotland into Scotland, by some means or other. Yet she arrived safe in Scotland, passing by the English fleet in a thick mist, and using her brother with all kindness, gave the government of all affairs into his hands.

Yet this did not lop the branches of his ambition, which daily sprouted out, both in words and deeds: for he could not contain himself from lamenting amongst his friends, that the warlike Scottish nation, not inferior in military glory to the English, was subjected to the government of a woman; and out of the doctrine of Knox, whom he looked upon as a patriarch, he often asserted, that kingdoms were due to virtue, not kindred: that women were to be excluded from the succession

sion of kingdoms; and, that their government was monstrous. He also solicited the queen, by his friends, to substitute some, out of the family of the Stewarts, who, if she died without issue, should succeed, one after another, in the kingdom; and not to have any regard whether they were legitimate or illegitimate, hoping that he should be one of them, being a king's son, although illegitimate.

But the queen, taking it into serious consideration, that such a substitution was contrary to the laws of the land, and would be an injury to the right heirs, a most pernicious example, dangerous even to the substitutes themselves, and an impediment to her marrying again, she answered mildly, that she would maturely deliberate upon what was proposed, and consult with the states of the realm about it: and, to shew herself kind and bountiful to her brother, she created him earl of Marr, and afterward earl of Murray, because Marr was in controversy, and procured him an honourable marriage. All this she did, being all this while ignorant, that he aspired at the crown, boasting that he was the lawful son of James V. and, to make his way to the throne, he, through the favour wherein he stood with the queen, oppressed the most noble family of the Gordons, who had very many vassals, tenants and retainers, whom he feared much, both in respect of himself and of their religion; and banished from court the duke of Chasteauleroy, who was considered as the next heir to the crown; imprisoned the earl of Arran, his son, banished Bothwell into England, and put all them that he thought might cross him, out of office: and, as a guardian, kept the queen as his ward, and at his command, being particularly careful to keep her from marriage.



As soon as he understood, that the emperor sued to her for his brother, and the king of Spain for his son, he dissuaded her utterly from them both; because the liberty of Scotland would not, nor could not, endure a foreign prince: and, whenever that government descended to women, that they married no other husbands but of the Scottish nation: but afterwards, when all the Scots generally wished to see her married, and he found out that the countess of Lennox had so artfully conducted matters that she inclined to marry Darnly; he also commended him as a good husband for her, hoping the young man, being of a flexible disposition, would be ruled by him in all things. Yet, when he saw that the queen loved Darnly exceedingly, and he himself was beginning to grow out of her favour, he repented of the counsel he had given, and importuned queen Elizabeth to hinder her marriage by some means or other.

The marriage being concluded, and Darnly proclaimed king, when the queen revoked the donations made to him and others against the laws in her minority; he, with others, put himself in arms against the king, alledging, that the new king was an enemy to the religion of the protestants, and that he was married without the consent of the queen of England. But he fled into England, as has been said, never adventuring to fight; and, being destitute of all aid from thence, he dealt by letters with Mourtou, a profound subtle man, who was as his other self, that, since the marriage could not be dissolved, recourse should be had to secret devices to alienate the king and queen from each other: and a fit occasion offered itself; for she, upon the arising of some private discontent, to check the pride of the young man, and to preserve her royal authority whole to herself, had begun

gun to set her husband's name last in the proclamations and records, and to omit it utterly in the coin.

Mourton being a skilful man to breed discontents, with his flatteries crept into the king's good liking and opinion, and then perswaded him to take upon him the crown of the realm, in despite of the queen, and to make himself free from the government of women; for that it is the condition of women, said he, to obey, and of men to rule:

By this counsel, if it were taken, he hoped not only to draw away the love of the queen, but of all the nobility and commons also from the king, to estrange the queen from her husband and crafty men; and with various slanders he first incited the king to murder David Rizzo, lest that a native of Piedmont should prevent their purposes.

This Rizzo was a musician, and came the last year with Moret, the embassador of Savoy; and was, for his wit and address, received into her household and favour, and preferred to write her French letters, and to assist in her privy-council in the absence of her secretary.

Then, to estrange her love the more, he perswaded the king to be present at the murder, with Ruthen and the rest, who, rushing together with him into the queen's dining parlour, at supper time (she sitting at the table with the countess of Argyle) attacked Rizzo with their naked swords as he tasted meat taken from the queen's table at the cupboard, as the servants of the privy chamber used to do, and the queen being big with child, and trembling for fear, they held a pistol to her breast, and dragging Rizzo into another chamber, they inhumanly murdered him, and shut up the queen in a parlour, Mourton all this time guarding all the passages.

This murder was committed the evening before the day appointed for Murray to appear for his trial in the assembly of the estates for his rebellion, who came in on the next day, when nobody expected him; and no man appeared against him in that troublesome time: so that it may be thought that the murder of David was hastened on purpose to procure the security of Murray. Yet the queen, at the earnest suit of the king, received him kindly, and continued in brotherly love towards him. But the king, when he considered the enormity of the offence, repented his rashness, and in an humble manner submitted himself to her clemency, weeping and asking pardon, and ingenuously confessed that he committed that heinous offence by the instigation of Murray and Mourtoun; and from thenceforth so hated Murray (for Mourtoun, Ruthen, and others, were fled into England upon the murder, with the commendatory letter of Murray to Bedford) that he formed a design to kill him; but, when out of anger and rashness, he could not conceal his purpose, nor, such was his respect to the queen his wife, durst not execute it. He told her how profitable it would be for the commonwealth, and also for the security of the royal family, if Murray were out of the way.

She detesting the thing, terrified him even with threats, from such enterprizes, giving him hopes of reconciliation. Yet he, when he saw, to his great grief, that the bastard had such influence with the queen; such was his impatience, that he plotted the same matter with others; which, when it came to the ears of Murray, to prevent him, under colour of duty, he laid closer snares for the young man; using Mourtoun, though absent as his counsellor.

They

They thought it requisite, above all things, entirely to alienate the queen's mind from the king; and by flattery to prevail upon Bothwell, lately reconciled to Murray, and in great favour with the queen, to join their party; giving him hopes to be divorced from his wife, and to marry the queen, as soon as she was a widow: and, for the performance of these things, and also to defend him against all persons, they bound themselves under their hands and seals; being persuaded, if the matter hit right, that they might at once kill the king, entirely discredit the queen amongst the nobility and commons, undo Bothwell utterly, and bring the government of all affairs into their own hands.

Bothwell being a vicious man, blinded with ambition, and therefore ready to attempt any thing, quickly laid hold on the hope offered him, and villainously committed the murder: but Murray had secretly gone home a pretty way off, fifteen hours before, that he might not be suspected; and, that he might from thence assist the conspirators, when there was occasion, and all the suspicion might light upon the queen.

As soon as he returned to the court, both he and the conspirators recommended Bothwell to the queen as very worthy of her love, for the nobility of his family, his valour shewed against the English, and his approved fidelity.

They intimated to her, that she, being single, was not able to repress the tumults that were raised, prevent secret plots, and support the burden and heavy weight of the kingdom; therefore she would do well to take as a companion of her bed, counsel and danger, the man that could, would, and durst oppose himself against all trouble. And they so far prevailed with her, that the fearful woman, daunted with two tragical mur-

ders, remembering the fidelity and constancy of Bothwell towards her and her mother, and having no other friend to resort to, gave her consent; but upon these conditions, that above all this, provision might be made for the safety of her little son; and then, that Bothwell might be both acquitted from the murder of the king, and freed from the bond of his former marriage.

What George, earl of Huntley, and the earl of Argyle, men of great nobility in Scotland, protested of this matter, we shall set down in this place, out of the original, with their own hands, sent to queen Elizabeth.

“ Forasmuch as Murray, and others, to cloak  
 “ their rebellion against the queen, whose autho-  
 “ rity they usurp, do slander her openly, as privy  
 “ and consenting unto her husband’s death; we  
 “ do publicly protest and swear these things: In  
 “ the month of December, in the year of our  
 “ Lord one thousand five hundred fifty and six,  
 “ when the queen lay at Cragmyller, Murray and  
 “ Lidington did acknowledge before us, that  
 “ Mourton, Lyndsey, and Ruthen killed Rizzo,  
 “ for no other end, but to procure the safety of  
 “ Murray, who was to be attainted at the same  
 “ time. Therefore, lest they should be unthank-  
 “ ful, they wished that Mourton, and the rest,  
 “ banished for the death of David, might be  
 “ brought home again; and this they insinuated  
 “ could not be done, except the queen were se-  
 “ parated by a divorce from the king, which they  
 “ promised to effect, if we would grant our con-  
 “ sent. And afterwards Murray promised unto  
 “ me, George earl of Huntley, the restitution of  
 “ my ancient patrimony, and perpetual favour  
 “ of the banished men, if I would favour the di-  
 “ vorce. Then they went unto Bothwell, that he  
 “ should

“ should consent thereunto. Lastly, we came un-  
 “ to the queen, and Lidington, in all our names,  
 “ besought her exceedingly to remit the sentence  
 “ of exile against Mourton, Lyndsey, and Ruthen.  
 “ He exaggerated the faults and crimes of the  
 “ king with bitter words ; and shewed, that it was  
 “ much for the good and benefit of the queen and  
 “ the commonwealth, that a divorce were speedily  
 “ sued out : forasmuch, as the king and she could  
 “ not live together with security in Scotland.  
 “ She answered, she had rather depart into France,  
 “ and live privately for a time, until her hus-  
 “ band acknowledged his faults : for she would  
 “ have nothing to be done that should be wrong  
 “ to her son, or dishonour unto herself.

“ Hereunto Lidington replied, saying, We that  
 “ are of your council will provide for that ; but  
 “ I command you, said she, not to do any thing  
 “ which may be a blemish to my honour, or a  
 “ stain to my conscience. Let things be as they  
 “ be, until God above do remedy it : that which  
 “ you think may be good for me may prove  
 “ evil. Unto whom Lidington said, Commit the  
 “ matter unto us, and you shall see nothing done  
 “ but that which is good, and that which shall be  
 “ allowed in the parliament. Hereupon, since  
 “ that, within a few days after, the king was most  
 “ shamefully murdered ; we, out of the inward  
 “ testimony of our conscience, are most assured,  
 “ that Murray and Lidington were the authors,  
 “ and persuaders of this murder of the king, who-  
 “ soever were the actors of the same.”

Now the conspirators used all their skill to bring  
 it about, that Bothwell might be cleared of kill-  
 ing the king ; therefore, without delay, the par-  
 liament was summoned for no other cause, and

proclamations were issued out to apprehend the persons suspected of murdering the king. And, when Lennox, father to the murder'd king, accused and charged Bothwell as the regicide, and was very importunate that Bothwell might be brought to trial before the parliament began : this also was granted, and Lenox commanded to bring in his accusation within twenty days. On which day, when he heard nothing from the queen of England, and could not be present in the city full of his enemies, without danger of his life ; Bothwell was brought to the bar, and arraigned, and acquitted by the sentence of the judges, Mourtoun also maintaining his cause, and openly taking his part.

This business being finished, the conspirators contrived it so, that most of the nobility gave their consent to the marriage under their hands and seals, lest he, frustrated of the promised marriage, should impeach them as contrivers of the murder. But, by this marriage of the queen with Bothwell, who was created duke of the Orkneys, the suspicion increased with all men, that the queen consented to the king's death ; which the conspirators increased by letters sent to all places, and in their secret meetings at Dunkeld, they conspired to kill Bothwell, and deprive the queen ; yet Murray, that he might be thought clear of this conspiracy, obtained leave of the queen with difficulty, to travel into France ; and, that he might put all diffidence out of her head, he commended all his affairs and estate in Scotland, to the protection of the queen and Bothwell.

He was scarcely gone out of England, but, behold ! the same men who had acquitted Bothwell of the murder, and consented to the marriage

riage under their hands and seals; took up arms against Bothwell, as meaning to apprehend him; and, indeed, they secretly desired him to save himself by flight, for no other intent but that he should not be taken, and discover all their plot, that they might avail themselves of his flight, to accuse the queen of killing the king: but she being taken, they used her in the most disrespectful and indecent manner; and, putting her on an old cloak, thrust her into prison at Lochlevyn, under the custody of the mother of Murray, who had been mistress to James V, who inhumanly insulted over the calamity of the imprisoned queen, boasting, that she herself was the lawful wife of James V; and that her son Murray was his lawful issue.

As soon as queen Elizabeth understood these things, detesting this barbarous insolence of subjects, against a princess her sister and neighbour; she sent Nicholas Throgmorton into Scotland, to expostulate with the conspirators for this insolence used against their queen, and to take some measures to restore her to her former liberty, and for the severe punishment of the murderers of the king; and that the young king might be sent into England, that order might be taken for his security, and not sent into France.

He found most people in Scotland incensed against the queen, who, in plain terms, denied access to her, both to him, and to Villeroy and Crocus the French ambassadors: yet could not the conspirators agree among themselves what to do with her; Lidington, and a few others, would have her restored upon these conditions: That the murderers of the king should be punished according to law; the princes safety provided for; Bothwell divorced, and religion established. Others would have her banished for ever into France,

or



or into England, provided that the king of France or queen of England, gave their words, that she should resign the kingdom, and transfer all her authority to her son and certain noblemen. Others were of opinion, that she should be arraigned publicly, and condemned to perpetual imprisonment, and her son crowned king. Lastly, others would have her deprived both of her life and kingdom, by a public execution. And this Knox, and some ministers of the gospel, thundered out from their pulpits.

On the other side, Throgmorton cited from the holy scriptures many passages to prove, "That obedience was to be yielded to the higher powers, that carry the sword." And wittily argued, That the queen was not subject to the judgment of any, but only of the celestial judge: that she could not be arraigned, or brought to trial before any judge on the earth: and that there is no magistrate had any authority in Scotland, which is not derived from the authority of the queen, and revocable at her pleasure.

They opposed the peculiar law of the kingdom, among the Scots, and urged that in extraordinary causes, extraordinary courses were to be used; taking their arguments from Buchanan, who, at that time, by the persuasion of Murray, wrote the dialogue, "De jure regni apud Scotos:" wherein is maintained, that the people have authority to create and deprive kings.

Throgmorton, however, continued to make many earnest motions for the restitution of the queen, and for access to her; though Lidington had answered him often, that his access could not be granted, since it was denied to the French; that they must not displease the French to please the queen of England, who did but serve her own turn, since, for her own good, she hoped to drive  
the

the French out of Scotland; and very lately shewed so little favour to the Scots exiled for killing David Rizzio. Moreover, he should beware, lest the Scots, through his importunity, should neglect the English, and incline to the friendship of the French, and secretly advised him, with the French proverb, "Il perd le jeu, qui laisse la partie:" he must lose that quits the game. That the English should not abandon the Scots their friends.

Then, in a long writing which they delivered to Throgmorton, without any subscription, they protested, that they shut up the queen in that solitary place, with no other intent, but that they might keep her from Bothwell, whom she loved unmeasurably, to work their confusion, until she revoked that unreasonable love of him, and her hatred of them was assuaged; and told him to be satisfied with this answer till the rest of the noblemen met. Yet every day they laid new restraints upon her, though she with many tears, and most humble requests, begged of them to deal more mildly with her; if not as the queen, yet as a king's daughter, and mother to the prince, whom she made humble suit to see frequently, but in vain.

But, that I may not insist upon particular injuries, at last they desired her to resign the government, taking either her sickness, or the troubles in government, an excuse; or, as others, with greater artifice represented to her, that the resignation being made, she being then kept more negligently or carelessly, might make an escape;

When these tricks did not answer their purpose, they threatened openly to arraign her for incontinency of life, killing the king, and tyranny; affirming, that she had violated the laws of the land, meaning those which Randon and d'Oysel had

had confirmed in the king of France and her name.

At length, terrifying her with death, they compelled her to sign their letters-patents, which she never saw, nor heard read; in the beginning of which, she resigned her realm to her son thirteen months old. In the second branch thereof, she appointed Murray regent during the minority of her son. In the third, if Murray refused the charge, she named these new governors of her son, James, duke of Chasteauleroy, Matthew, earl of Lenox, Gilbert, earl of Argyle, John, earl of Athol, James, earl of Mourton, Alexander, earl of Glencarne, and John, earl of Marr.

And, without delay, she signified by Throgmorton, to the queen of England, that she had resigned by compulsion, and had subscribed to the cession, or resignation against her will, by the counsel and advice of Throgmorton, who had persuaded her, that the cession extorted in the prison was not valid.

On the fifth day after the resignation, James, the queen's young son, was anointed and crowned king, John Knox preaching the sermon. The Hamiltons putting in a protestation, that it should be no prejudice to the duke of Chasteauleroy in the right of succession against the family of Lennox. But queen Elizabeth forbade Throgmorton to be present upon that occasion, that she might not be thought to allow the unjust abdication of the queen, by the presence of her ambassador.

On the twentieth day after the resignation, Murray himself returned from France; and, the third day after, he, with many of the conspirators, came to the queen, against whom he laid many heinous crimes, and persuaded her to turn to God by true repentance, and to ask mercy of him.

She

She seemed sorrowful for the sins of her former life; she confessed some things he objected, others she extenuated, others she excused by human frailty, and most she utterly denied.

She required him to take upon him the government of the affairs for her son, and begged him earnestly to spare her life, and her reputation. He said, it did not lay in his power; but it was to be sought of the states of the realm; yet, if she desired to have her life and honour saved, he gave her the following advice: That she should not trouble nor disturb the tranquillity of the realm: that she should not steal out of prison, nor move the queen of England, or the king of France, to vex Scotland with foreign or civil war: that, she should not have any farther conversation with Bothwell, or meditate revenge on his enemies.

The regent being proclaimed, bound himself by his hand and seal, to do nothing concerning peace or war, the person of the king, or his marriage, or the liberty of the queen, without the consent of the conspirators. He desired Throgmorton by Lidington, not to intreat any more for the queen, since he and the rest would never consent, that she being freed, should cohabit with Bothwell, bring her son into danger, her country into trouble, and proscribe them.

We know, said he, what you Englishmen can do by arms; you may waste our borders, and we may yours; and we know, that the French, in regard of our ancient league, will not abandon and forsake us. He refused Lignerol the French ambassador access to the queen till Bothwell was taken; and every day he used the distressed queen worse and worse, though she had deserved well at his hands.

Shortly

Shortly after, Murray put to death John Hepthorne, Paris a Frenchman, Daglish, and the other servants of Bothwell, who had been present at the king's death : but they (which Murray little expected) at the gallows, protested before God and the angels, that they understood by Bothwell, that Murray and Mourtou were the occasion of the king's death, and cleared the queen from all suspicion ; as Bothwell himself, prisoner in Denmark all his life-time, and at his death, with many solemn oaths and religious protestations, affirmed, that the queen was not privy, nor consenting to it ; and, fourteen years after, when Mourtou was to suffer death, he confessed, that Bothwell endeavoured to prevail on him to consent to the murder of the king, which, when he positively refused, except the queen commanded it under her hand : Bothwell answered, that could not be done, but that the deed must be done without her knowledge.

This rash, precipitate, and over-hasty abdication or deprivation of the queen, and the overbearing stubbornness of the conspirators towards the ambassadors, both queen Elizabeth and the French king took very ill, tending to the reproach of royal majesty, and began to favour the Hamiltons, who stood for the queen. Pasquier also, ambassador from the French king, applied to the queen of England, that she might be restored by force of arms ; but she thought it a better way to forbid the Scots all commerce with France and England, till she was delivered ; and so, by that means, the common people might be disjoined from the noblemen, who, as it seemed, were united in the conspiracy against the queen.

In Scotland, the captive queen, upon the second day of May, escaped out of prison in Lochleven,  
by

by the means of George Dowglas, whose brother had the custody of her, unto the castle of Hamilton; where, hearing the testimony of Robert Meluin, and others, a sentence declaratory was made by the whole consent of all the noblemen which were there met, being very many: that the resignation extorted by fear from the queen, was void from the beginning; and that it was extorted, is confirmed by the oath of the queen there present. Hereupon, such a multitude came to her from all places in a day or two, that she had an army of six thousand valiant men; which Murray very easily put to flight, because they were so fierce, and would not obey any orders.

The queen, terrified with this ill success, betook herself to flight, riding that day threescore miles, and afterwards, by journeys in the night, came to the house of Maxwell, lord Herris; and was more willing to commit herself to the protection of queen Elizabeth, than to trust her own subjects. Yet she sent before one John Beton to her, with a diamond, which she had before received of her, as a token of benevolence, to signify to her, that she would come into England, and ask aid of her, if her subjects pursued the war against her any farther.

Queen Elizabeth promised her all love and sisterly kindness: but, before the messenger returned, she went into a little bark (her friends much dissuading her) with the lords Herris and Fleming, and a few others, and landed the seventeenth day of May, at Worlington in Cumberland, near the mouth of the river Derwent; and, the same day, wrote letters in the French tongue, with her own hand, to queen Elizabeth; the chief heads of which, since they comprize a longer historical narration of the things done against her

in

In Scotland, than elsewhere to be met with) we shall here lay before the reader.

“YOU are not ignorant, my best sister, how  
 “ many of my subjects, whom I have advanced  
 “ unto great honour, have conspired to oppress  
 “ and imprison me and my husband; and how,  
 “ at your intercession, I received the same men  
 “ into favour, whom I had expelled out of my  
 “ kingdom by force of arms: but yet these men  
 “ broke into my chamber, and cruelly killed my  
 “ servant, I, being great with child, beholding  
 “ it, and shut me up in prison.

“ When I had again forgiven them, behold they  
 “ laid upon me a new crime, which themselves had  
 “ wrought, and signed with their own hands;  
 “ and shortly after were enranged in battle against  
 “ me in the field: but I, trusting in mine innocence,  
 “ to avoid the shedding of blood, put myself into  
 “ their hands. Forthwith they thrust me into pri-  
 “ son, sent away all my servants, but one or two  
 “ maids, a cook, and a physician; enforced me,  
 “ by threats and fear of death, to resign my king-  
 “ dom; and, in the assembly of the estates called  
 “ by their own authority, denied to hear me and  
 “ my agents; spoiled me of all my goods, and  
 “ kept me from the speech of all men.

“ Afterwards, by God's help, I escaped out of  
 “ prison, and, accompanied with the flower of the  
 “ nobles, who came joyfully unto me from all  
 “ parts, I admonished mine enemies of their  
 “ duty and allegiance; I offered them pardon, and  
 “ proposed that both parts might be heard in the  
 “ assembly of the estates, that the commonwealth  
 “ might not any longer be torn in sunder by these  
 “ intestine broils. I sent two messengers about this  
 “ matter; they cast them both into prison; they  
 “ proclaimed

“ proclaimed them that assisted me traitors, and  
 “ commanded them forthwith to leave me. I re-  
 “ quested that the lord Boyd might talk with them  
 “ under a safe conduct, about a composition; but  
 “ they also denied the same utterly.

“ Yet I hoped they might have been recalled to  
 “ acknowledge their duty by your intercession.  
 “ But, when I saw I was to undergo either death  
 “ or imprisonment, I intended to have gone unto  
 “ Dunbritton; but they met me in arms upon the  
 “ way, and put my friends unto flight. I gat me  
 “ unto the lord Herris, with whom I come into  
 “ your kingdom, upon a certain hope of your ap-  
 “ proved benevolence, that you will help me  
 “ friendly, and by your example excite others to  
 “ do the same. Therefore I earnestly request you,  
 “ that I may be brought unto you speedily; for I  
 “ am now in great distress; which I will tell you  
 “ more at large, when it shall please you to have  
 “ compassion on me.

“ God grant you long and happy life, unto me  
 “ patience and comfort, which I hope and pray I  
 “ may obtain of him by your means.”

Queen Elizabeth, in her letters by Francis Knowles, and others, comforted her, and promised to protect her according to the equity of her cause, but refused her to come to her presence; for that, by report, she was charged with many crimes; and commanded that she should be conveyed to Carlisle, as to a safer place (if her enemies attempted any thing against her) by Lowder, lieutenant of the place, and the power of the gentlemen of the country.

She having received this answer, and the access denied, both by letters, and also by Maxwell, lord Herris, earnestly besought her, “ That she might



as well shew the injuries received by her, as also clear herself of the crimes objected against her in her presence: that it was most just that queen Elizabeth, her nearest kinswoman of blood, should bear her in her presence, being banished; and also restore her to her kingdom, against those whom, being banished for their villainies committed, she had restored to their estates at the intercession of Elizabeth, and that to her own destruction, except it were speedily averted. Therefore she humbly requested, that she might be admitted to her speech, and assisted; or, that she might speedily be permitted, with her leave and favour, to depart out of England, to crave help from some other place; and not be detained any longer, like a prisoner, in the castle of Carlisle; forasmuch as she came voluntarily into England, trusting on her love, oftentimes promised by letters, messengers, and tokens."

Through these letters, and the words of Hennis, queen Elizabeth seemed (for who can penetrate into the secret cogitations of princes? and wise people conceal to themselves their own purposes) to have sincere compassion of this princess her kinswoman, being in very great distress; who was taken by her subjects by force, thrust into prison, brought into danger of her life, condemned, and yet never heard speak in her own defence (which is never denied to a private man) and fled into England to her upon an assured hope of help and relief. Moreover, she was moved, that the distressed queen had voluntarily offered to have her cause argued and debated before her, and had taken upon her to prove her adversaries guilty of all the crimes which they had accused her of.

Whether the pity of queen Elizabeth was sincere or not, is not known; but certain it is, the counsellors

sellors of England entered into a mature deliberation, what should be done with her. If she should be kept still in England, they were apprehensive, that she, who had an alluring eloquence, would daily gain over many more to favour the right she pretended to the crown of England; and that they would kindle her ambition, and leave nothing unattempted to purchase the kingdom for her: that foreign embassadors would assist her; and, that then the Scots would stand by her, when they saw such a fair prey. Moreover, the fidelity of keepers was uncertain; and, if she should die in England of a disease, it would give occasion of slander, and the queen would be perplexed and turmoiled every day with new molestations. If she should be sent into France, they feared lest her cousins, the Guises, would again pursue the right and claim she made to England, upon a conceit and opinion that she could do much in England, with some for religion's sake, with others by her plausible right, and with many upon a mad desire of innovation.

Besides that, the friendship between Scotland and England, which is very profitable, might be broken; and the ancient league between Scotland and France renewed; which would be more dangerous than in former times, when Burgundy was tied to England by a stricter league than at present; England having now no fast friends but the Scots.

If she should be sent back into Scotland, they feared lest the English faction should be discountenanced, the French faction raised to the government of affairs, the young prince exposed to danger, the religion in Scotland changed, the French and other foreigners brought in, Ireland more vexed and annoyed by the Highlanders, and her own life endangered by her adversaries at home.

Hereupon, most of them thought best to detain her as a lawful prize, and not to let her go till she made satisfaction for challenging the title of England, and answered for the death of Darnly her husband, who was a native subject of England: for the mother of Darnly, the countess of Lenox, long since, in her own name, and her husband's also, had made a grievous complaint against her, and had besought queen Elizabeth that she might be arraigned for the death of her son; but she, endeavouring to appease her, intreated her not to lay such a crime upon so great a princess, her nearest cousin, which could not be proved by any certain evidence: that the times were malicious, and unjust spight, lays crimes upon innocent persons; but that Justice, which is the punisher of offenders, was open eyed, and sat by God.

On the other side, the lord Herryis humbly remonstrated to the queen, not to believe any thing against the queen unheard; and that, in Scotland, Murray should not precipitate the parliament, to the prejudice of the expelled queen, and to the destruction of good subjects. But, notwithstanding her endeavours, Murray, in the king's name, held the parliament, attainted many that stood for the queen; and spoiled and destroyed their houses and possessions.

Hereupon the queen of England, being seized with indignation, signified by Midelmore to the regent, That she could not endure that, by a most pernicious example to kings, the sacred authority of royal majesty should be contemned by subjects, and trodden under foot at the pleasure of factious people: and howsoever they had forgotten the duty and allegiance of subjects toward their sovereign, yet she could not forget any duty, or office  
of

of good will and pity, towards her sister and neighbour queen. Therefore it was best for him then to come himself, or else to give commission to fit and apt men for his business, who should answer to the complaints of the queen of Scotland against him and his accomplices; and also give just reasons for depriving her: if he did not, she would immediately set her at liberty, and restore her to her kingdom, with all the power she was mistress of: and at the same time desired him not to sell any of the queen's apparel and precious ornaments, tho' the states had consented to it.

Murray obeyed, as he depended upon England only for the support of his government; and the noblemen of the realm refused to be sent on the message. He therefore came to York with seven of his dearest and most familiar friends, as commissioners for the infant king; namely, James, earl of Morton, Adam, bishop of Orkney, Robert, commendator of Dunfermellin, Patrick, lord Lindsey, James Mangill, Henry Balnaw, and Lidington, whom Murray enticed with fair promises to come with him, fearing to leave him at home; and George Buchanan, one that was ready to come into all his measures, accompanied them.

The same day came thither Thomas Howard, duke of Norfolk; Thomas Radcliff, earl of Suffex, a little before made president of the north, and sir Ralph Sadlier, knight, one of the privy-council; appointed commissioners to hear the cause of the deprivation of the queen of Scotland, who took it very unkindly that queen Elizabeth would not hear her speak, and yet commanded her subject to be heard against her, before commissioners; forasmuch as she, being an absolute prince, could not be bound to answer, but at pleasure, subjects accusing her.

There appeared John Lessly, bishop of Ross William, lord Levingston ; Robert, lord Boyd ; Gawen, commendator of Kilwinning, John Gordon, and James Cochburne, for her.

When they were met on the seventh day of October, and shewed each other their letters patents, Lidington standing up, and turning to the Scots, with great boldness admonished them :

“ Forasmuch as it should seem, by the commission granted to the English men, that the queen of England had no other purpose but that they should defame, disgrace, and discredit the reputation and good name of their queen-mother to their king ; and that she, as an umpire and judge, should give sentence ; that they should consider with themselves discreetly, what hate and danger they might draw upon themselves by accusing her of crimes, and bringing her in danger and loss of reputation in this juridical and public form, before Englishmen, the professed enemies of the Scottish nation ; not only with the Scots that loved the queen, but also with other Christian princes, and her cousins in France : and what reason they could yield for this insolent accusation (not without the wrong of the Scottish kingdom) unto the king, when he, being riper in years, shall think this action a reproach and dishonour to himself, his mother, and his country also. Therefore he thought it most fit to leave off the odious accusation of so great a princess, except the queen of England shall make a mutual league, offensive and defensive, against all persons that shall trouble them for this matter.”

And thus the secretary of Scotland advised them in the way of friendship. They looked on each other without saying a word. The commissioners of the queen of Scotland (for the first place of honour was given to them) before they took the oath

oath, protested, although the queen of Scotland was content that the causes between her and her rebellious subjects should be argued in the presence of the English; yet that she did not therefore acknowledge herself to be subject to any, or under the rule of any, being, as she is, a free prince, and vassal holding of none.

The English protested likewise, that they by no means admitted that protestation, to the wrong of that right which the kings of England long time have challenged and claimed, as the superior lords of the kingdom of Scotland.

On the next day the commissioners of the queen of Scotland by writing declared, how James, earl Mourton, John, earl of Mar, Alexander, earl of Glencare, Hume, Lindsey, Ruthen, Sempill, &c. had levied an army, in the queen's name, against the queen, taken her, used her vilely, and thrust her into prison in Lochleven, had forcibly broken into her minting house, taken away the minting irons, and prints, and all the gold and silver coined and uncoined, and had crowned her son (being an infant) king, whose authority James, earl of Murray, under the name of regent, had usurped, and had taken into his hands all the muniments, riches, and revenues of the kingdom.

And then they shew, how she, as soon as she was escaped out of prison, after eleven months, had publicly declared, and taken her oath, that whatsoever she had done in prison, had been extorted from her (unwilling thereto) by force, threats, and fear of death; but yet, for the conservation of the public tranquillity, that she gave authority to the earls of Argyle, Eglington, Cassile, and Rothsay, to make an accommodation with her adversaries, who yet set upon her with

their men of war, as she intended to travel to Dunbritton by unknown ways, killed very many of her faithful subjects, lead others away prisoners, and banished others, for no other cause, but for that they had done faithful service to their lawful princeſs. That ſhe, enforced by theſe their vile and leud injuries, retired and withdrew herſelf into England, to require help, which queen Elizabeth had oftentimes promiſed her, that ſhe might be reſtored to her country and former eſtate.

After a few days, Murray the regent, and the commiſſioners for the infant king (ſo they called themſelves) made answer, “ That Henry Darnley, “ the king's father, being murdered, James Hep- “ borne, earl of Bothwell, who was accounted to “ be the murderer, obtained ſuch favour of the “ queen. that he took her, being not unwilling, “ in the ſhew of violence, and carried her to Dun- “ bar, and took her to his wife (having put away “ his former wife :) That the noblemen, moved “ thereat, thought it their duty to puniſh Both- “ well, the contriver of the murder (for as much “ as that murder was, in every place, laid upon “ many noblemen conſpirators) to reſtore the “ queen to her liberty, to unlooſe her from her “ unlawful marriage, and to make proviſion for “ the young king's ſafety, and the tranquillity of “ the realm.

“ And, when the matter was now ready almoſt “ to come unto a bloody fight, that the queen “ ſent Bothwell away, thundered out threats “ againſt the noblemen, and breathed revenge. So “ that it was, of neceſſity, to keep her in their “ cuſtody, until puniſhment might be taken of “ Bothwell, if he could be found.

“ And

“ And that she, wearied with the trouble of  
 “ government, voluntarily resigned her kingdom,  
 “ and transferred the same to her son, appointing  
 “ Murray to be regent. Upon this her son was,  
 “ with due rites, anointed and crowned king:  
 “ and, that all these things were approved and con-  
 “ firmed by the states in the parliament,

“ And, that the Scots commonwealth, by the  
 “ just administration of justice, flourishing, till  
 “ certain persons, envying the public quietness,  
 “ subtilly got the queen out of prison, and, vio-  
 “ lating their fidelity toward the king, took arms,  
 “ of whom, though the king, by the favour of  
 “ God, got the victory, yet they bear still the  
 “ mind to work and threaten all the hostility they  
 “ may; and therefore it is very necessary that the  
 “ king’s authority may be conserved and esta-  
 “ blished against such turbulent subjects.”

To these things the commissioners of the queen  
 made answer (having first repeated their former  
 protestation,) and said, “ Whereas Murray, and  
 “ the conspirators do say, that they took arms  
 “ against the queen, because Bothwell, whom  
 “ they charge with killing the king, was in great  
 “ favour with the queen, they cannot, with that  
 “ gloss, clear themselves from the mark of traite-  
 “ rous subjects; since it was not certain to the  
 “ queen that he killed the king. Yea, contrary-  
 “ wise, that he was acquitted, by the judgment  
 “ of his peers, of the murder; and that verdict  
 “ was confirmed by the authority of parliament,  
 “ with the consent also of them who now accuse  
 “ him; and, at that time, persuaded the queen  
 “ to marry him, as a man more worthy to bear  
 “ rule than any other, and gave unto him their  
 “ word under their hands. Neither did they disap-  
 “ prove



“ prove the marriage, so much as in word, until  
 “ they had, by fair words, enticed the captain of  
 “ the castle of Edinburgh, and the provost of the  
 “ town to their side ; for then, late in the night,  
 “ they assaulted the castle of Borthwicke, where  
 “ the queen lay, and when she, by the darkness  
 “ of the night, escaped, forthwith they levied an  
 “ army under the pretence to defend the queen,  
 “ and met her going towards Edinburgh, with  
 “ banners displayed, ready to fight ; and, by  
 “ Grange, whom they sent before, they willed her  
 “ to send away Bothwell from her company, until  
 “ he should be brought to trial ; which she, to  
 “ avoid the effusion of blood, willingly did.

“ But Grange secretly willed Bothwell to depart  
 “ away, and gave his word that none should pur-  
 “ sue him ; so that he, whom they might easily  
 “ have taken them, departed with their good  
 “ leave. But now having taken the queen, they  
 “ passed not upon him, that they might ad-  
 “ vance their ambitious purposes and designs.  
 “ And whereas they charge her to have used them  
 “ with rough and rigorous words ; it is no won-  
 “ der, since they, being her subjects, having  
 “ sworn their allegiance to her, had used her more  
 “ rudely and vilely than becometh any to use the  
 “ majesty of a prince. And, when she most wil-  
 “ lingly referred the cause to all the states of the  
 “ realm, and signified so much by Lidington the  
 “ secretary, they would not so much as hear the  
 “ motion, but by night conveyed her secretly to  
 “ Lochlevyn, and put her in prison.

“ In that they say, she voluntarily made a re-  
 “ signation of the kingdom, for that she was wea-  
 “ ried with molestations in the government, is al-  
 “ together untrue ; for as much as she was not  
 “ outworn, or decayed by age, nor weak by sick-  
 “ ness,

“ nefs, but both in mind and body, able to discharge the moſt weighty matters of ſtate.

“ But this is moſt certain, that the earl of Athol, Tullibardine, and Lidington (who were alſo of their counſel) did will her to ſubſcribe unto the letters-patents of the reſignation, that ſhe might avoid death, aſſuredly intended, and that this would be no wrong nor bar to the priſoner, or her heirs; for as much as priſon is a juſt fear, and a promiſe made by a priſoner, by the opinion of the lawyers, is of no force, and utterly void.

“ And that Nicholas Throgmorton did perſwade her to the ſame, by a ſchedule written with his own hand, whom ſhe alſo requested to ſignify unto the queen of England, that ſhe had ſubſcribed by coaction, and againſt her will.

“ Moreover, that Lindſey, when he brought the letters patents of the ceſſion to be ſubſcribed, threatened her with death, and drave her by force to ſubſcribe unto it, which ſhe never read, the tears running down from her eyes.

“ And that the lord of the caſtle of Lochlevyn reſuſed to ſubſign it as a witneſs, becauſe he ſaw and knew for certain, that ſhe ſubſcribed againſt her will.

“ Alſo that reſignation and renunciation is moſt unjuſt, in which nothing is aſſigned unto her, whereon ſhe may live, nor liberty granted, nor ſecurity of life promiſed.

“ So that to men of indifferency ſuch like unjuſt reſignation cannot ſeem to prejudice her royal majeſty; which, as ſoon as ſhe was free at liberty, openly declared, ſhe did it by compulſion, making a declaratory thereof before many noblemen of the realm. Neither ought thoſe things which they brag they did by the authority of parliament, be any prejudice unto  
“ the

“ the queen ; for where in the parliaments of  
 “ Scotland about an hundred earls, bishops, and  
 “ barons have their voices, in this tumultary parlia-  
 “ ment, there were present no more but four  
 “ earls, one bishop only, one or two abbots, and  
 “ six barons ; and of that small number some  
 “ did put in a protestation that nothing should be  
 “ done to the wrong of the queen, or her succes-  
 “ sors, because she was a captive. Neither were  
 “ the embassadors of England nor France admitted  
 “ to know of her, whether she resigned her king-  
 “ dom voluntarily, although they made earnest  
 “ suit sundry times. And that it is so untrue, that  
 “ the usurping regent hath justly administered the  
 “ common-wealth ; it is most apparent, that im-  
 “ piety did never reign more, and with less con-  
 “ trolment, in throwing down churches, ruinat-  
 “ ing worshipful families, and afflicting the mise-  
 “ rable commonalty. Therefore they request  
 “ earnestly, that the queen of England would  
 “ speedily help the queen her cousin, most unjust-  
 “ ly and vilely oppressed, with her favour, advice,  
 “ help, and assistance.” This is taken from the  
 original copies of the commissioners, written with  
 their own hands.

When the English commissioners had heard these  
 things, they required that Murray should produce  
 more just causes of this great severity used against  
 an absolute queen : because what had been already  
 alledged was not supported by evidence, but by  
 letters of small credit, and Lidington had insinua-  
 ted that he had often counterfeited the queen's  
 hand. He refused to accuse his sister any further  
 before strangers, except the queen of England en-  
 gaged to undertake the protection of the infant  
 king, and entirely to abandon the queen of Scot-  
 land,

When

When they by the authority of their commission could not promise it, one or two of both parties were sent for to London; to whom queen Elizabeth declared: that she could not approve of the conduct of the Scots towards their princess; yet that she would intercede for them, and hear if they had any thing else to say in their justification.

Murray, who followed them, in plain terms refused to accuse his sister, but upon the condition he had spoken of at York.

Then the commissioners were recalled, and put out of commission, to the great satisfaction of the duke, who had always favoured the queen of Scotland's right in the matter of succession, and thought that all this was done in order to brand her with eternal infamy, and so to exclude her, and her son, unworthy of all right of succession in England. And he thought he had thereby escaped two dangers; for he feared, if he had pronounced against her, he should act against his conscience, and ruin her for ever; and, if he spoke for her, then he should incur the implacable indignation of the queen, and the ill-will of all that hated her on account of religion.

But as at that time the affairs of Scotland were greatly disturb'd by the friends of the banish'd queen, and the presence of Murray was necessary there; he began his accusation before the queen, Bacon keeper of the great seal, the duke of Norfolk, the earls of Arundel, Suffex, and Leicester, Clinton, lord admiral, William Cecill, and Ralph Sadlier, commissioners appointed by new letters patents; and produced articles founded upon conjectures, the testimonies of some men, and the decrees made in parliament, but especially certain amorous epistles and verses written (as he said) with the queen's hand, to prove her privy to the death

death of her husband, and he put Buchanán's book (called the detection) into their hands, which had small credit with the greater part of the commissioners, because he was one of that party, and hired by money to write. But as for the epistles and verses, queen Elizabeth gave small credit to though there was a private quarrel between them, and she was well pleased that some reproach should by this accusation be left on the queen of Scotland.

But when her commissioners heard that she was contumeliously accused by Murray, they were very ready to answer; but she (being secretly instructed by many English lawyers, that it was lawful for her so to do; as the former authority and commission, given to the duke and others, was abrogated) had already taken away their commission: and she, in plain terms, rejected the new English commissioners, of whom one or two were her enemies; except the French and Spanish ambassadors might be added to them, and she herself might be publickly admitted to defend her innocency before the queen; and Murray detained and brought to trial, whom she affirmed might be proved the contriver of the murder of Darnley. Which things, when Norfolk, Arundel, Suffex, Leicester, and Clinton, acknowledged to be just; queen Elizabeth, somewhat angry, said openly, that the Scottish woman would never want an advocate, as long as Norfolk lived; and thought it enough to impart the crimes objected by Murray, to every one of the privy council, and also to the earls of Northumberland, Westmoreland, Shrewsbury, Worcester, Huntington, and Warwick, called together with an oath of secrecy, lest they should injure either party.

**And**

And when Murray was called home, and Boyde (as it was commonly reported) plotted to steal the queen of Scotland out of prison, the matter was put off to another time; queen Elizabeth detesting the insolency of the Scots, in depriving their queen.

Murray a little before his departure, had craftily proposed to Norfolk, the marriage with the queen of Scotland, and also secretly by Melvin given the queen hopes of being restored to her kingdom, and at the same time to draw the love of queen Elizabeth from the queen of Scotland, he had spread rumors that she had transferred her right to England to the duke of Anjou, and that the transcription was confirmed at Rome; and shewed also letters (whether true or forged it is not easy to determine) which the queen of Scotland had written to her friends, in which she both charged queen Elizabeth as though she had not used her according to her promise, and boasted of hopes of aid from some other persons.

This gave queen Elizabeth great apprehensions, yet she could not conjecture from whence this new hope should arise, the civil war increasing so in France, that the bishop of Rhedon was sent to her by the king, to request her not to intermeddle with the affairs in France, and the duke of Alba who was come the last year into the Netherlands to root out the protestant religion, had very troublesome business come upon him.

But, as it came to light afterwards Robert Ridolphus, a Florentine, who had lived long at London, as a merchant factor, was suborned by pope Pius Quintus (who durst not send a nuntio openly) secretly to excite the papists in England against queen Elizabeth, which he did both diligently and secretly. A small suspicion was also  
grown

grown out of the secret conferences at York, between Lidington, the bishop of Ross, and Norfolk, whom they besought to join his advice and care to help the distressed queen, offering him also her in marriage; which he, as a thing full of danger, modestly rejected; yet he promised not to abandon the distressed queen, in as much as was lawful for a man of honour to do, proving his allegiance to his queen and country. Ligon, a servant of Norfolk, a great papist, much increased the suspicion, by his often going to Bolton (the lord Scroope's castle) where the queen of Scotland was kept by Francis Knolls, under the pretence of visiting Scroop's wife, who was sister to Norfolk. Although this was uncertain, in order to be more secure, the queen of Scotland was conveyed from Bolton, where all the bordering neighbours were papists, farther into the realm, to Tuthurie, and delivered to the custody of George earl of Shrewsbury.

Now Murray, who had secured his return to Scotland, by the hope given to the queen of Scotland of her restitution, and to Norfolk, and to others in England, (for she had quelled the Scots that lay in wait to kill him, and charged them not to obstruct his return) As soon as he came to Edinburgh, he called the noblemen friends to the queen, under pretext of consulting with them about her restitution. And when Hamilton, duke of Chasteauleroy, appointed lieutenant by the queen, and Herris, persuaded by the letters of the queen, with too much credulity, came thither first, Murray fearing some design, circumvented them; and staying for no more, put them in prison, and forthwith annoyed the friends of the queen with fire and sword.

Here-

Hereupon reports were spread, in all places of England against Murray, namely, that he had made a contract with queen Elizabeth, that the young king of Scotland should be delivered to queen Elizabeth, to be brought up in England: that the castles of Edinburgh and Sterling should be furnished with garrisons of Englishmen: that Dunbritton should be taken for the emolument of the English: that Murray should be proclaimed successor to the realm of Scotland, if the king died without issue, and should hold the kingdom of queen Elizabeth, by fealty and homage. These reports increased, and with their probability, so possessed all men's minds thorough all Britain, that queen Elizabeth thought good, for the preservation of her own credit, and for the good of Murray, to wipe away these blots.

Therefore, in a printed copy, she declared, on the word of a prince, that these reports were entirely false, and devised by those who envied the tranquillity of both the kingdoms; and that there had been no contract, either by word or writing, between her or her agents and Murray, since he came last into England; but that the earl of Lennox, grandfather of the young king, had requested, that the king, if he could not be safe in Scotland from the plots of wicked men, might be sent to England. Moreover, she affirmed, that whatever was said of the agreement between Murray and the earl of Hertford, namely, that they would give mutual assistance to each other, to get the crowns of both the kingdoms, was utterly false and untrue.

Lastly, That she did not prevent the affair between the queen of Scotland and her little son from being concluded: and that she would do her



utmost endeavours that it might be effected. And, indeed, she did her best, though she was almost distracted, on the one side with fear, on account of the inveterate emulation which never ceases between women princesses; and, on the other side, with compassion remembered the frailty of human nature.

The queen of Scotland increased this compassion, and lessened the fear with her frequent and affectionate letters; in which she solemnly promised, both for the favours which she had received at her hands, and also for the near affinity which united them: that she would attempt nothing against her; and that she would not be beholding to any other prince for her restitution, but to her only. Inasmuch, that queen Elizabeth dealt earnestly with Murray, by Wood his secretary, and with other Scots, about restoring her to her former dignity; and, if that could not be granted, that she might be joined with her son: and, if that could not be granted neither, yet that she might live a private life at home among her friends, freely, securely, and honourably. But she could not prevail upon Murray (who had all the government in his hands) to yield one article.

About the same time, a report gained ground amongst men of the better sort, that the duke of Norfolk would marry the queen of Scotland, which pleased many, but upon different accounts, according to the variety of their different views and interests. For the papists hereby hoped to procure some favour for their religion; and others hoped some profit would arise thereby to the commonwealth. But many men, who saw the queen was not disposed to marry, and that foreign  
princes,

princes, enemies to England, cast their eyes upon the queen of Scotland, as the most certain heir of England, thought it would be a better way to establish quietness, and to keep the queen of Scotland within bounds; that she were married to the duke of Norfolk, the greatest and most honourable man in England, and a man in favour with the people, and bred up in the religion of the protestants, rather than to a foreign prince, who might bring both the kingdoms into danger by her means, and also come so to inherit both the kingdoms, which they heartily wished might be consolidated in a prince of the English nation, if the king of Scotland should happen to die, who they also purposed to bring into England, that he, the true heir of England, being brought up amongst the English, might be better loved by the natives. And thus, all the scruples about the succession might be taken away, queen Elizabeth should have no cause to fear the duke, and the queen of Scotland, when she had the king in her hands.

Moreover, that the duke should attempt nothing against him, but love him more dearly, they determined to marry Margaret, the duke's only and little daughter to him, and leave the marriage to be consummated when they came to riper years. Among these, were the earls of Arundel, Northumberland, Westmoreland, Suffex, Pembroke, and Southampton, and many barons, yea, and Leicester himself, whether in policy, and to work the duke's destruction, it is uncertain, yet all these thought it good to acquaint the queen with the matter, and to leave the decision thereof to her pleasure; and, that she should prescribe the conditions for the full security and safety of her own person, religion, and the realm.

But now take the matter briefly, if you please, from the very beginning, out of the written confession of the duke, and the memorials of the bishop of Ross, who was the chief negotiator in this business.

When the commissioners met at York the last year, Lidington and the bishop of Ross, to insinuate themselves in his favour, talked with the duke of a marriage to be made between him and that queen of Scotland; and so did Murray himself, with the duke, at Hampton-Court; and, in private talk with the duke, and also with many others, feigned that he wished nothing more, than that matters in Scotland, being put upon a good footing, the queen of Scotland, his dearest sister, might be restored to her former dignity, provided that she would sincerely and unfeignedly receive her subjects into her former favour and grace past, and that all offences might be quite forgotten. Yet he feared, if she married a husband of her own chusing, from France, Spain, or Austria, that she would revenge the injuries she had received, change the religion established in Scotland, and bring England into great danger.

To prevent these evils, he promised to exert himself to the utmost, that she, who had first married a boy, then a rash and heady young man, and lastly, to a madman (those were his very words) might now be married to the duke, a man of discretion; which would be greatly to the advantage of both the realms, and the security of both the princes, and especially to the establishing of religion, since he (such was his respect to the queen of England) might more easily make Scotland continue in friendship with the English, and might, with the more ease, draw the queen of Scotland to the religion which he professed.

With

With these things Murray secretly acquainted the queen of Scotland by Robert Melvin, and offered his service very officiously toward effecting them; but the duke answered, that he could determine nothing about the marriage, before she cleared herself of the crimes objected against her; yet Ross, as diligently as he could, ceased not to excite him to it, tho' unwillingly.

A few days after, Nicholas Throgmorton met the duke in the court at Westminster, unto whom he professed, and offered his service very kindly, and signified, that Leicester would talk with the duke, about the marriage between him and the queen of Scotland, which Throgmorton said, seemed strange to him, since Leicester himself sued for the same marriage not long since. But, he desired the duke in friendship, if it were so, to give the honour of that marriage to Leicester, who had been before a suiter for it; but, if he stood stiffly in it, to refuse it, because the Scots charged her with many heinous crimes. But yet, said Throgmorton, I wish from my heart, that she were married to you, as well for the good of religion, as also that she may not depend on any other but our queen. Yet this I forewarn you, if you do any thing in this matter, let Leicester guide you by advice; for you of yourself shall hardly get the queen's consent.

A day or two after, Leicester moved the matter to the duke, who answered just as Throgmorton had forewarned him; and, when he came to speak of the crimes, Leicester extenuated the same, and called Richard Candish to witness, whose service he recommended to the duke at the same time.

Then Leicester told Pembroke of the matter, and the duke told Arundel; and they, together

with Throgmorton in their letters, recommended to the queen of Scotland the duke, as a fit husband (which Murray had done also before.) The duke also wrote, and signified his love, and offered his service in very loving words. From that time, he imparted to them all the letters he wrote to her, or received from her; and they talked oftentimes with Ross about the manner of concluding it. And, by Richard Candish, they propounded, in the year one thousand, five hundred, threescore and eight, to the queen of Scotland, these articles written with Leicester's hand, viz.

1. " That she attempt nothing to the hurt of  
" the queen of England and her children in the  
" succession of the kingdom of England.

" 2. She should make a league defensive and  
" offensive between the two realms.

" 3. She should establish the religion of the pro-  
" testants in Scotland.

" 4. She should receive into her favour the  
" Scots, which were now her adversaries.

" 5. She should revoke the assignation of the  
" kingdom of England made to the duke of An-  
" jou.

" 6. She should marry some English nobleman  
" namely, the noble prince Thomas, duke of  
" Norfolk."

If she gave her consent to these articles, they promised to procure the queen of England's assent; and that she should be shortly restored to her realm, and also be confirmed in the succession of England.

She

She readily admitted them all, but added, that she could say nothing to the league, before the French king was certified of it. She protested, that there was no assignation made to the duke of Anjou; yet she would get him to make a release and renunciation (if they insisted on it.) And intreated them, above all things, to get the consent of the queen of England, lest some hurt should come to her and the duke for want of it, which she had experienced in the marriage with Darnley without her consent. Yet they thought best to try first the minds of more noblemen; of whom most gave their consent, with this clause, "provided the queen was not against it." Neither did the king of France and Spain dislike it, only they feared Murray, lest he, that had first broached the matter, and promised to promote it to the best of his power, should first hinder it. Yet they agreed on this, that Lidington, who was then expected, should be the first to sound queen Elizabeth.

In the mean time, the duke imparted to lord Lumley that all had been done in this business, and with much ado, obtained of Leicester to ask the advice of some other friends. Yet a while after, he opened the matter by the consent of Pembroke to Cecil also.

About the same time, Leonard Dacres formed a resolution to steal secretly the queen of Scotland out of prison at Whinfield, where she was kept by the earl of Shrewsbury. Northumberland being privy to this design, signified it to the duke, who forbade them to proceed in it; for, he feared they would have delivered her to be married to the king of Spain, and hoped to obtain the consent of queen Elizabeth soon.

But, the report of this marriage came more plainly to the queen's ears, by the ladies and women of the court, who are always very penetrating in law affairs.

When the duke understood it to be true, he dealt very earnestly with Leicester, both by Throgmorton and by Pembroke, to open the matter speedily to the queen: he made delays, and lingered, as it were, to stay for a fit time to speak. But Cecil desired the duke, who was now full of care, to open all the matter to the queen himself, whereby all scruple might be speedily removed from the queen and from himself also.

Leicester was against it, and promised to open the matter to the queen in the progress. But, whilst he put it off with smooth words, from one day to another, the queen, being at Farnham, set the duke at her table, and bitinglly desired him to take heed on what pillow he laid his head. Then, at Titchfield, Leicester was somewhat sick, or else feigned to be so, and, with many sighs, and much anxiety, asking pardon for his fault, he opened the whole matter, from the beginning, to the queen.

At the same time the queen called the duke to her into a gallery, and chid him very much, that without her privy, he had sued the queen of Scotland in the way of marriage; and commanded him, upon his allegiance, to cease from further meddling therein. He promised to obey willingly and gladly, and scrupled not to say, (as though he did not care for her,) that his revenues in England, were little less than those of the kingdom of Scotland, at this time greatly impoverished by the wars; and also, when he was in his tennis-court at Norwich, he seemed to himself to be equal, in some sort, to many kings. But, from that time,  
he

he began to be more dejected in mind, and, when he saw the queen look and speak to him more sternly, and Leicester in a manner estranged, and most of the noblemen decline his company, scarce saluting or speaking to him, he hastened to London without taking any leave, and went in to Pembroke, who bid him be of good cheer, and comforted him very much.

And, on that same day, queen Elizabeth rejected, with a shew of displeasure, the Scotch ambassador, who intreated her very much to deliver the queen captive; and said, that she had best behave herself quietly, lest shortly, she should deprive them of their heads, on whom she chiefly relied.

And now, when the rumour of the marriage increased every day, and the French ambassador exceedingly urged her delivery, (more by the persuasion of some Englishmen, than by the orders of the French king, as it was after known) new suspicions, from every place, were laid hold on: and Cecil, who applied all his care to the good of the republic and religion, was very diligent to find the depth of the matter; and therefore wrote to Suffex lord-president of the North, who was an intimate friend, and nearly allied in blood to the duke, to certify the queen what he knew of the duke's marriage.

His answer is not known; and, as it had been observed, that the duke had many secret conferences with Murray, regent of Scotland, at Hampton-Court; George Cary, son to the lord Hunsdon was sent secretly to Murray, to learn of him, if the duke had imparted to him any thing about this marriage.

The duke, in the mean while, terrified with a false report spread, that there was a commotion raised



raised in the North; and, being informed by Leicester, that he should be put in prison, went out of the way into Norfolk, whilst his friends at court, who had promised so much, might avert the storm that hung over his head, and he himself might mitigate the queen's displeasure by his humble letters: but, there were men set about him to take notice of all his actions.

When he found no assistance among his friends, and Heydon, Cornwallis, and other worshipful gentlemen of those parts, persuaded him, if he were guilty of any offence towards the queen, to throw himself upon her mercy; he wavered, and was tormented with a variety of cares. At this time, the court was perplexed, suspicious, and fearful, lest he should break out into rebellion; and, it is said, it was determined to kill the queen of Scots presently if he did so.

But he, through his natural good-nature, and, being conscious, that he had not offended against any law made treason; for that act, of marrying the king's sisters, or brothers, or aunts children, without the king's knowledge, made treason by Henry VIII. was repealed by Edward VI. and also, for fear lest the queen of Scotland, through suspicion, should be used more hardly, he sent letters to his friends at court, and told them, that he stepped aside into his house, that in time, and by his absence, he might procure a remedy against malicious reports, which are, at all times, entertained with open ears in the court, and asked pardon most humbly for his offence, and without delay, took his journey toward the court.

As he returned, at St. Albans, Owen, a gentleman belonging to the earl of Arundel, sent secretly by Throgmorton and Lumley, who were committed, requested him to take all the fault upon

upon himself, and not to lay it upon Leicester and others, lest he should make his friends his enemies. There Edward Fitz-Gerald, brother to the earl of Kildare (lieutenant of the pensioners) met and received him, and conveyed him to Burnham, three miles from Windsor (where the queen then lay.) Four days after, the abbot of Dunfermelling delivered the letters of Murray, regent of Scotland, to the queen; in which he declared to her, that the duke dealt with him secretly at Hampton-Court, to favour his marriage with the queen of Scotland; and that if he would not, he threatned him exceedingly, and that he promised to favour it, that he might prevent the ambuscade laid by one Norton to kill him; from whom and others, the duke gave his word he should return without danger. And that shortly after, the duke requested him by his letters written in cyphers, to give his consent to the marriage. Moreover, that the duke signified to him by Boyd, that he would never forsake the queen of Scotland; and further, that the agents of the same queen had almost persuaded the regent that queen Elizabeth had consented to the marriage; and also that she had given her hopes of the kingdom of England. And queen Elizabeth also found out, that she had signified to certain noblemen of England, to win them to her side, that she went about that business, which would be very necessary for the security of the queen of England, and the like safety for both the kingdoms.

The duke, who had a secret correspondence with the bishop of Ross, Leicester, and Throgmorton, was about this time examined about this marriage with the queen of Scotland, and his secret conferences with the bishop of Ross, and confessed most things, was sent to the tower of  
Lon-

London, under the keeping of Sir Henry Nevill, knight, being bitterly reproved that he had departed from the court without leave obtained, and charged as though he had intended to rebel. Two days after, the bishop of Ross was examined in like manner, and Robert Ridolph, the gentleman of Florence, whom the bishop of Ross and others used familiarly, was delivered into the custody of Francis Wallingham. The earl of Pembroke was commanded to keep his house, and privately examined; yet in regard of his nobility and old age, it was granted him, that his examination should not be set down in writing. Which he desired, because he could not write. Some noblemen were forbidden the court, as privy to these matters, who humbly confessed that they, with the duke, agreed to the marriage, which Murray had first proposed; yet so that the duke, the queen of Scotland, and they, desired that the matter should be referred to the queen before the marriage was to be solemnized, and desired pardon for their offence. In like manner, the earls of Northumberland and Westmorland, who were of this counsel, submitted themselves to Suffex lord president of the North, and besought him to make intercession to the queen for their pardon. Also many pamphlets came out against this marriage, and against the queen of Scotland, and the right by which she claimed to become heir to England; wherein they used expressions so insolent, that the queen thought once to have forbidden them by severe edict, and permitted the bishop of Ross to make answer; who forthwith published a book under the name of Morgan Phillips, against them, wherein he defended the honour of his queen, her right to succeed, and the government of women (for this also was impugned)

pugned) but ingenuously acknowledged afterward in his Commentaries, that he had his arguments for her right of succession, secretly from Anthony Brown, chief justice in the common place, and Carrell an excellent good common lawyer.

Shortly after, happened the rebellion in the North, raised by the earls of Northumberland and Westmorland, with many other gentlemen. Who when they understood for certain, that the queen of Scotland (whom, to set at liberty, they had principally taken arms) was carried away from Tutbury unto Coventry, under the keeping of the earls of Shrewsbury and Huntingdon; and being moved by the great preparations of the queen, they with a few others fled into Scotland.

In the year 1570, the rebellion in England being now quell'd, Murray regent of Scotland did all he could that the queen of Scotland might be delivered into his hands, and for that cause he both offered hostages, and also to restore them the earls of Northumberland and Westmorland; and brought to pass, that the bishop of Ross, as the author of the rebellion, was committed into the custody of the bishop of London. Then to purchase the good-will of queen Elizabeth, in the month of January he came with an army to the borders of Scotland towards England, to pursue the English rebels, of whom he took a few, and those of small account; but at last he found the earl of Northumberland lurking about Hartlawe, amongst the thieves on the borders, discovered by his host (one of the Graham's, who betrayed him) and sent him unto Lochleven to be kept; and in this journey he annoyed, and laid waste the borders exceedingly.

But in the same month, after he had taken great pains, and thought himself in great security,  
he

he was shot from a privy place, thro' the body a little beneath the navel, with a bullet, as he rode thorough the streets of Lithquo, by one Hamilton, who escaped soon after into France, and lived some years after, often protesting, that he did it to revenge himself of a private grudge against him, not being able to endure patiently the injuries he offered him. For Murray had banished the man, because he had espoused the queen's cause, and imprisoned him, threatening frequently to hang him, 'till he resigned to a servant of Murray, a little ground which came to him by his wife; whereupon his wife ran mad, and in a furious rage he broke prison, and committed the murder. Neither could he afterwards be persuaded in France (when he seemed to be a man fit for a desperate action) to attempt the same against the admiral Coligni, often saying, that he had revenged a personal injury, for which he was sorry; but he would not revenge another man's, either for gold or intreaty.

The regent's death made a great noise all over England. The populace being struck with idle superstitions, namely, the dream of his mother, of the lyon and the dragon fighting in her womb, after that king James the fifth had enjoy'd her. Among the wiser sort, according to their different interests, he was commended by some, for destroying the Roman religion in Scotland, the preservation of the king a child, the equal administration of justice, and his munificence and liberality to learned men, and Buchanan in particular. On the other side, he was blamed by others, as though he took religion for a cloak, and enriched himself and his friends with the spoils of the church, and for being not only injurious, but also ungrateful to his sister the queen,

queen, that deserved well at his hands, and insulting over her womanly weakness. And these men out of their suspicions, and the lewd disposition of many bastards, guessed and conjectured, that he would not have spared the son, having already deprived the mother of her crown. The queen of Scotland herself was very sorry, that he was taken away by that sudden and violent death, before (as she said) he had expiated his sins against God, his country and princess, by hearty penitency. But all the English that favoured the duke of Norfolk, accused him (as far as they durst) for a crafty and false deceiver.

The noblemen of Scotland who were for the king, (not admitting the Hamiltons and the rest, who had been for the deprived queen) being to meet for the election of a new regent, required the advice of queen Elizabeth. She answered, she would not meddle in the creation of a regent, lest she should seem to prejudice the queen of Scotland, whose cause was not yet decided and judged. But they chose Matthew earl of Lennox, the king's grand-father regent, queen Elizabeth being not dissatisfied with it, for she knew that he would be very kind to his young nephew thro' natural affection, and kind to the English on account of the benefits he had received at their hands. And she doubted not but he would be at her beck, since she had his wife in her power.

While queen Elizabeth shewed favour to the king's party in Scotland; the king of Spain did not abandon the queen captive; but by means of Hamilton, rector of the church of Dunbar, he sent secretly out of the Low-Countries, great store of armour and gunpowder, seven great pieces of ordnance, and some money to Huntley, the gover-

governor of the north part of Scotland for the queen. In the mean while, he, the duke of Chasteauleroy, and the earl of Argyle, lieutenants of the queen, by a common consent, and with the consent also of the queen, sent George lord Seton ambassador unto the duke of Alba, who declared his message to him in these words:

“ That he was sent out of a kingdom deprived  
 “ of publick peace, and of a worthy princefs,  
 “ through the treachery of disloyal subjects, and  
 “ that the substance of his embassy consisted in  
 “ these points: that aid may be given to them,  
 “ whereby the queen may be redeemed out of  
 “ miserable captivity in a foreign land, and the  
 “ realm delivered from the oppression of stran-  
 “ gers: that the Scottish rebels might be forbid-  
 “ den to traffick in the dominions of the king of  
 “ Spain: and that the 10000 crowns assigned by  
 “ him to the queen of Scotland might be paid.”

The duke of Alba answered, that he would be ready and willing to further this her cause, upon all occasions, to the king of Spain, but that he could not prohibit the traffick of the Scottish rebels, (because it was contrary to the liberty of the Low-Countries) and promised that he would disburse the money very shortly for her use.

In the mean time, the lord Seton, in order to purchase the favour of the king of Spain and the duke of Alba, went in disguise to the States, and drew many of the Scots, that served them, to a revolt, by fair words, good chear, and such enticements. And when he was upon the point of being put to the torture, he hardly, and with great danger of his life, escaped to the duke of Alba, who promised to pay ten thousand soldiers for half a year, but in vain, because he could  
 not

not send over the foldiers into Scotland, the wars were so hot in the Low-Countries.

In the mean time, the bishop of Ross, who had followed the business of the queen with great discretion, and was committed to the custody of the bishop of London (because he had secretly kindled the rebellion in the North) being now delivered, brought to pass, that the French king, by his ambassador, Montluc, dealt very earnestly with queen Elizabeth about the deliverance of the queen of Scotland, who complained very much, that she was kept in closer confinement, and that also under the earl of Huntingdon, her professed enemy and competitor, (since he as openly laid claim to the right of the kingdom of England, as she did.) The same also was urged exceedingly by the king of Spain's ambassador, in his king's name.

The queen made answer, (after she had rehearsed the crafty purposes and devices of several men for the delivery of the queen of Scotland, who as she insinuated, was privy to the late rebellion) " That it would be great inconsideration, " and dangerous folly to let her go at liberty, " who doth aspire so openly by such evil courses, " unto the kingdom of England: that of necessity she was enforced to keep her straighter in " prison, to send away many of her servants from " her, whom she had drawn thither in great numbers, and to join the earl of Huntingdon (in " whom she did acknowledge no right unto the " kingdom, but some kindred with her) unto the " earl of Shrewsbury, whom she had appointed to " be her keeper, who long since began to suspect and distrust the fidelity of some of his servants, and had perceived many of them daily " won to favour the queen of Scotland, yet that



“ the earl of Huntingdon had been removed from  
 “ her a good while since. Moreover, she pro-  
 “ mised that she would omit nothing she could do,  
 “ to make an end and a composition between the  
 “ queen and the Scots; and protested that she  
 “ would not revenge the wrongs she had received  
 “ at her hands. But yet she hoped that the kings  
 “ of Spain and France, and the queen of Scot-  
 “ land also, would give her leave to make provision  
 “ for the tranquillity both of herself and her sub-  
 “ jects; which nature, reason, and her honour do  
 “ claim at her hands. If any of them shall de-  
 “ vise any better and more evident means to a-  
 “ void peril and danger, that she would with a  
 “ good-will hear and embrace the same.”

After this, the privy council of England sat often, and consulted whether it was best that she should be sent back to her own subjects, or kept still in England, and what courses were best to be taken for the best preservation of the kingdom, the queen, and religion.

About the same time pope Pius Quintus had caused his bull or sentence declaratory against queen Elizabeth (the pretended queen of England) and the hereticks adhering to her, wherein all her subjects were declared to be absolved from their oath of fidelity, and all other duty, &c. And they that afterward obeyed her, were excommunicated, which was dated the five and twentieth day of February, in the year of our lord, one thousand five hundred threescore and nine; to be fixed on the gates of the palace of the bishop of London, in the night. Hereupon suspicions increased, that some dangerous matter was in agitation. And immediately another rebellion was ready to break out in No folk, which was quelled in the beginning; some gentlemen  
 of

of Norfolk desiring to deliver the duke (who was exceedingly beloved by all men) had devised at Harleston fair, by sounding a trumpet, to gather a multitude, under pretence to drive strangers out of the land.

John Felton, who had fixed the pope's bull on the bishop of London's gate in the night, being apprehended (for he would not fly tho' he had it in his power) being arraigned, with great courage confessed the fact, which yet he would not acknowledge to be any offence, and was executed near unto the place where he had fixed it.

The same day Felton was arraigned, the duke of Norfolk confessing his offence, and shewing great penitence, and having under his hand given his word not to deal any more about the marriage with the queen of Scotland without the privity of queen Elizabeth, he was brought back from the tower of London, to the great joy of the people, and remained at his own house, under the keeping of Sir Henry Nevill. Indeed he could not be arraigned of treason by the statute of 25. of Edward the third, as Cecil said, who desirous of the duke's good, was earnest to have him marry another woman, whereby he might be less feared, and the public tranquillity conserved. Yet some there were that thought he was let out on purpose, that he might be brought into some greater danger. True it is that more things came every day to light than he suspected, and the credit of his most secret counsellors was corrupted with hopes, or with bribes.

These times suspicions and conspiracies abounded; for there conspired to deliver the queen of Scotland out of prison, Thomas and Edward Stanley, the younger sons of the earl of Derby, by the daughter of Thomas, duke of Norfolk, Tho-

mas Gerard Rolston, Hall, and others in Derbyshire; but Rolston's son, who was one of the pensioners, opened the conspiracy, and they were all cast into prison but Hall, who escaped to the Isle of Man, and from thence to Dunbritton, where being taken at the winning of the castle, he was conveyed to London, and there executed as a traitor. And the bishop of Ross himself, lately delivered out of prison, was again delivered into the custody of the bishop of London, for having secret conference with the earl of Southampton, a man wholly addicted to the Roman religion.

Queen Elizabeth, her mind being greatly perplexed, upon the publication of the bull, and the insurrection intended in Norfolk, sent Cecil and Milday to the queen of Scotland, who then lay at Chatworth in Derbyshire, to consult and devise with her by what means the division in Scotland might best be re-accommodated, she restored to her former estate, and provision made for the security of queen Elizabeth, and the safety of her little son. She did nothing but deplore her most distressed estate, complain of the crafty politics of Murray, excuse Norfolk, and place all her hope in the friendship of queen Elizabeth. They, for the making and establishing of a sincere league of amity between the realms, proposed these articles:

“ 1. The treaty of Edinburgh should be confirmed: She should renounce her title and right to England during the life of queen Elizabeth.

“ 2. She should not renew nor keep any league with any prince against England.

“ 3. She should not remit or receive any foreign soldiers into Scotland.

“ 4. She should have no practice nor intelligence with any Irish or Englishmen, without the queen's knowledge.

“ 5. She

“ 5. She should restore the English fugitives and  
“ rebels.

“ 6. She should make amends or recompence  
“ for the hurt done to the English borderers.

“ 7. She should enquire, according to the law,  
“ for the murders both of Darnly and Mur-  
“ ray.

“ 8. She should deliver her son pledge into  
“ England.

“ 9. She should not marry with any English-  
“ man without the knowledge of the queen of  
“ England, nor with any other, against the wills  
“ of the states of Scotland.

“ 10. The Scots should not pass over into Ire-  
“ land without leave obtained out of England.

“ 11. For the confirmation and assurance where-  
“ of, the queen, and the commissioners to be ap-  
“ pointed, should set to their hands and seals.

“ 12. Six hostages, whom the queen of Eng-  
“ land should name, should be sent into Eng-  
“ land.

“ 13. If the queen of Scotland attempted any  
“ thing against the queen of England, by herself,  
“ or by any other, she should lose all her right  
“ (ipso facto) which she claimeth in England.

“ 14. The castles of Hume, and Fast castle, to  
“ be kept by the Englishmen three years.

“ 15. Some fortrels also, in Galloway, or Can-  
“ tire, should be delivered unto the Englishmen,  
“ lest the Irish-Scots should infest Ireland from  
“ thence.

“ 16. Lastly, the estates of Scotland should con-  
“ firm all and singular these things by the autho-  
“ rity of parliament.”

To these propositions, she answered prudently  
enough, upon the sudden; but she referred them

for a fuller answer to the commissioners, sent by her lieutenants in Scotland, who were the bishop of Ross, her ambassador in England, Alexander Gordon, bishop of Galloway, uncle to the earl of Huntley, and William, lord Levingston, who afterwards admitted some of these articles, and rejected others.

They answered, That the treaty of Edinburgh should be confirmed, the title renounced during the life of queen Elizabeth : that they must consider of the ancient league with France, which, if they did not keep, the queen should lose her dowry ; the Scotch nation, of the which one hundred and twenty-four archers are maintained in the guard, merchants, students, many that possess land by inheritance, and that have spiritual livings, should be turned out, and lose their pensions, immunities, and privileges, which they enjoy, being very great, and Scotland should be deprived of the amity and aid of a most mighty nation.

Which things, except the English did liberally and bountifully recompence, they cannot renounce and forsake the French league by any means : that they will not admit any foreign soldiers, except in case of such a rebellion as cannot be suppressed by soldiers of their own country : that the queen of Scotland shall have no intelligence with the subjects of England, provided the queen of England, in like manner, shall have none with the subjects of Scotland, to the hurt of Scotland : if there be any English rebels, or fugitives, they are in the hands of the Scotch rebels, and are demanded of them : the damage done, is to be examined by commissioners : for the murder of Darnly and Murray, let them be enquired into according to the laws of Scotland : that they cannot deliver the king for hostage, who  
is,

is, in the hands of men, that use the king's name as a colour for their rebellion against the queen: that it is strange, and a thing not heard of at any time, that a free princess should be prescribed in her marriage by a foreign prince, and her own subjects: that the Scots shall not be sent over into Ireland, if reciprocally, the Irish be tied with the same condition, not to pass over into Scotland.

For the greater security in these things, they consented to give hostages whosoever the queen of England would name, except the duke of Chastauleroy, the earl of Huntley, Argyle, and Athol.

Moreover, they consented, that the queen of Scotland should be excluded from her right of succession in England, if she attempted any thing against the right of the queen of England; provided, that the queen of England might again be tied in some equal penalty, if she attempted any thing against the queen of Scotland.

Concerning the castles of Hume and Fast castle, they requested, that they might be restored to the lord Hume, the true lord and proprietor of them; and that the English would detain them no longer from him; and that, to deliver fortresses in Galloway or Bantire to foreigners, was no other thing, than to give a new occasion of war.

When they could not agree upon these articles, and the commissioners did not return from the regent of Scotland, and, in the mean time, it was reported, that aid was earnestly required by her friends of the pope, the king of France, and the duke of Alba, for the deliverance of the queen of Scotland, and the English rebels; as Westmoreland, the countess of Northumberland,

- and the rest, were conveyed secretly out of Scotland, so nothing came of this treaty.

Notwithstanding this, the bishop of Ross sent the articles of it to the pope, and the kings of France and Spain, and insinuated to them, that the queen of Scotland must, of necessity, yield to them, unless they helped her both with advice, and other aid, very shortly, which he did most earnestly request at their hands, but in vain : for they were entirely employed with other matters.

In the year 1571, a little before this time, Ridolphus the Florentine, before-mentioned, who had carried on much merchandize and traffick at London fifteen years, sent secretly the letters of the pope to the queen of Scotland ; in which he promised to do his utmost to advance the catholic religion and her ; and required her to give credit to Ridolphus in all things ; and also, that he might understand by him, who now determined to return into Italy, by what means he might do any good, and give any relief to the catholic religion, and remedy to the common mischiefs in England and Scotland. Ridolphus also, in his own private lettes, requested the queen to impart these things to the duke of Norfolk, and her friends ; and that she would commend him to them. But, she delayed her answer (though the kings of France and Spain, and the duke of Alba, wrote to the same effect) until she saw to what end the treaty already begun, would come.

For there came, as from the king of Scotland, to that of the Scotch affairs, the earl of Mourton, Pitcarne, abbot of Dunfermelling, and James Mac-Gill, who when queen Elizabeth commanded them to lay down evidently the causes of their depriving the queen of Scotland, and to prove them to be just) shewed a tedious and long instruction,

struction, or memorial, in which, with a most insolent liberty and bitterness of speech, they endeavoured to prove the people of Scotland to be superior and above their kings, by the ancient privileges of the kingdom of Scotland, by almost forgotten examples, collected from all places; they endeavoured to prove, by the authority of Calvin, that the popular magistrates are appointed to moderate and keep in order the ambition and unruliness of kings; and that it is lawful for them to imprison wicked and arbitrary princes, and even to deprive them of their kingdoms.

But, they enlarged much upon their lenity toward their deprived queen, because they suffered her to substitute her son in her place, and to appoint him governors. That it was an effect of the mercy of the people, and not for her innocence, that they suffered her to live; and many other things, tending to vilify and debase the majesty of kings.

This memorial queen Elizabeth read, but not without indignation; and, as a libel written in the slander and reproach of kings, condemned it, though she said nothing; but to the commissioners, she answered, that, as yet, she did not see a just cause for their abusing and vexing the queen in that manner; and therefore her will was, that they should take some speedy course for the quenching the division and discord in Scotland.

Hereupon, at the house of Bacon, keeper of the great seal, it was proposed to the bishop of Ross, the bishop of Galloway, and the lord Levingston, commissioners for the queen of Scotland: that, in order to give security to the kingdom and queen of England, and to the noblemen that took the king's part, the duke of Chastelleroj, the earls of Huntley and Argyle, the lords  
Hume



Hume and Herris, and another lord should be given for hostages; and the castles of Dunbritton and Hume delivered into the hands of the English for three years.

They answered, " It was not to be doubted, but the queen of Scotland, who, of her free-will, committed herself, to the protection of the queen of England, would also most willingly give her satisfaction in all things which might conveniently be done; but, to deliver such great men, and such fortresses, was no other thing, but to spoil and deprive the distressed queen of the succour and strength of all her most faithful friends, and of the most strong places.

But, they offered two earls, of whom one should be one of the three named, and two lords, to be hostages for two years; but that the holds and castles by the league, could not be delivered to the English, except others, in like manner, were delivered to the French.

" But, said Bacon, all the realm of Scotland, the prince, the noblemen and castles, are not all sufficient to give security to the queen, and the most flourishing realm of England; and therefore the queen of Scotland was not be let go upon any security the Scots could propose."

Hereupon they declared openly, that now, at length they plainly understood, that the English were resolved fully to keep the queen prisoner for ever in England; and, withal, to break off the treaty, since they exacted so earnestly such security, as Scotland could not give by any means, yet the other counsellors of England protested, that they earnestly desired the deliverance of the queen of Scotland, provided sufficient security were given.

And

And, to that purpose, they also talked with Mourton and his associates upon the subject, and of sending the king into England, who in plain terms answered, that they had no commission to treat or deal, either to receive home the queen into Scotland, or to send the king into England. But the commissioners of the queen of Scotland rejected this as a frivolous excuse :

“ For, certainly, said they, they that had authority to deprive the queen, had also authority enough to restore and set her at liberty; neither needed they to look for any authority from the rest of the conspirators, since their wicked fact had made them equals (*facinus quos inquinat, æquat.*) As for the prince, he could not, being but five years old, give them authority; and, as for the regent, he had committed all the matter to queen Elizabeth, and to her pleasure.”

Therefore they requested the commissioners of England, that these men might be compelled to consult thereof, or else the matter ended and accommodated upon equal conditions, without these men. But queen Elizabeth, when she saw nothing could be done to give herself, the king, and the realm security, except both the factions agreed together; she thought it expedient, that the states of Scotland, which were shortly to assemble, should elect men who should endeavour to make an accommodation.

Hereupon Rofs, and his associates, openly complained, that many of the queen of England's counsellors abused the prudence of the queen of England, and the patience of the queen of Scotland, and had deluded foreign princes with their subtle policy, and brought the Scots to great trouble by their delusions. And, indeed, the queen

queen of Scotland, complaining of their proceedings, and weary of these delays, called away the bishop of Galloway and Levingston, and commanded Ross (whom the queen of England had ordered to depart from London) to continue there by the right of an ambassador, and appointed her friends in Scotland to take arms; and not trust any longer to the truces which had been hurtful to them.

For, at the time that these things were done in England, they had sustained great losses, many had been executed, more slain, Dunbritton, the strongest fort in Scotland taken, and James Hamilton, archbishop of St. Andrews, brother to the duke of Chastelauroy, as accomplice in the murder of the king, was hanged; upon the accusation of a priest, who affirmed, that he had heard it in confession from one of the regicides.

The captive queen, having now no hopes left, was in great grief, and all her servants but ten, and a priest to say mass, being sent away, all her hopes of liberty being gone, divulged what she could not refrain, and that which she had long concealed in her mind. She therefore sent secretly the duke of Norfolk a long account of her purposes, which she had written before, and certain love-letters, in a private character, known to them two, and other letters, to be carried to the pope, and the king of Spain, by Ridolphus, whom she commended as one very much attached to her interest; and her intimate friend Higford, the duke's secretary, who wrote out this commentary and letters, in an usual hand and letter, was commanded to burn it; but he did it under the mat in the duke's chamber, and that on purpose, as it seemed.

This

This Ridolph, once to the duke himself, and more frequently by Barker, reasoned thus: That he had observed, that there were many noblemen and commons in England, that desired an innovation; and those were of three sorts; some that had been in credit in the time of queen Mary's reign, and now were not accounted of; others, that were addicted to the popish religion, and grudged inwardly that they might not use it freely; and others, that were not content with their estate, and hoped for better.

These were ready, but wanted some nobleman to be their captain, or leader, and foreign aid. There could not be a fitter man for captain, and more noble than the duke, who had the love of the realm: and he had great reason to revenge the wrongs done to him, by his long detention in prison; and now, to his reproach, not called unto the parliament, in which he had a place and voice, as the chiefest nobleman, and earl-marshal of England. And, to persuade him the more effectually, he shewed him a roll of the noblemen who had vowed to spend their lives and goods for him, if he would attempt it.

As for foreign aid, he assured him, That the pope, so that the Romish religion might be advanced, would defray all the charges of the war, who had already laid in bank a great sum of money the last year when the bull was published; of the which money, Ridolph himself had distributed a great part among the English fugitives. He promised that the king of Spain, irritated by the injuries of the English men, would send to help them four thousand horse and six thousand foot, which might be sent over and landed at Harwich, a port in Essex (whereabouts the duke had many tenants and gentlemen holding of him) most fitly and with-

out suspicion, in the beginning of summer, when the duke of Medina Cæli was to come with a good navy into the Low-Countries.

Lastly, he concluded, That such a moderation might be used, that all suspicion of treason in the duke might be taken away, and provision made for the safety of the queen of England, if only she would embrace or tolerate the Romish religion, and consent to the marriage of the queen of Scotland with the duke.

The duke gave ear to these things as likely, but yet refused to subscribe to the letters of credit, as they call them, which Ridolph, being ready to depart, shewed him. Neither would he hear the advice of Ross, which he had long studied, and put into his head by Barker; namely, That the duke, with a selected company of noblemen, to take the queen suddenly, and to disturb the parliament; and by this means the marriage with the queen of Scotland might be finished, and the Romish religion set in better state in England, without any great stir, and without any foreign aid. Which might easily be done, having so many noblemen ready and prompt to enter into this action, as could not be assembled again in one place without suspicion. And just cause there was, for that the duke was kept long in prison against the laws of the realm, and not admitted into the parliament; and also for that more rigorous laws were devised against the papists: and, to do this, he brought in the example of Castrution in Italy, and others, who by sudden actions, had prosperously effected great matters; and how five noblemen in Scotland, very lately, had disturbed the parliament wherein Murray was to be attained, and got the queen into their hands.

This

This advice the duke, who was of a virtuous disposition and far from any villainy, detested and disliked as pernicious and dangerous: but, about the same time, Henry Percy offered his service to Rofs, in delivering the queen of Scotland out of prison; so that Grange and Carr of Fernihurst might receive her at the borders of Scotland; and his brother, the earl of Northumberland, might be delivered out of Scotland. But, when his credit was suspected, because of his private familiarity with Burleigh, and he delayed the matter very long, that plot came to nothing: for the which, upon his submission, he was notwithstanding fined in the star-chamber at five thousand marks, which nevertheless the queen did not insist upon: as also the plot of Powel of Sandford, one of the pensioners; and of Owen, a gentleman belonging to the earl of Arundel, who intended to venture upon the same action, had they not been restrained by Rofs, as not able to perform so great an attempt, since their abilities were not equal to such enterprizes.

Yet did many English men hasten the marriage between the queen of Scotland and the duke of Norfolk as much as they could; for they had by their persuasions brought him to think of the marriage with her again, contrary to the promise he had made; which was first discovered by these means:

Ridolph, the Florentine, whom we have spoken of, being sent over sea into foreign countries, to negotiate for the queen of Scotland, had acquainted Charles Bailiff, a Flemming, one of her domestics, with all his contrivances with the duke of Alva, and had delivered him letters wrote in cyphers to her, the Spanish embassadors Norfolk, Rofs, and the lord Lumley, all put into one packet, which Bailiff brought over with him, though Rofs had  
ordered

ordered him to leave them with the captain of Calais to be sent over : but, as soon as he arrived in Dover haven, he was apprehended and put into prison ; but his packet of letters was sent to the lord Cobham, warden of the cinque-ports ; which things Rois was immediately made acquainted with, and dealt so diligently and craftily with Cobham, who was not ignorant of the duke's counsel, that that packet was delivered to him, and another with other old letters wrapped up, was delivered to the privy-counsellors ; and this was also signified to Bailiff. Yet he, being upon the rack, confessed some things, and, amongst other, that a packet of letters came to the hand of Rois. This came to the knowledge of Rois also, who forthwith very wisely sent away Cuthbert, his secretary, and laid aside his cyphers and privy characters, with other things which might bring trouble, at his friends houses ; so that when Suffex, Burleigh, Mildmay, and Sadier, searched his house most narrowly, they found nothing, nor could wring nothing out of him with interrogations ; as he still insisted, that an embassador was not to be compelled to give an account of his actions, and make any answers, to any but his own prince. Yet, on the next day, Rois was delivered to the bishop of Ely to keep ; and shortly after he was sent into the isle of Ely ; also sir Thomas Stanley, sir Thomas Gerard, knights ; and Rolston, of whom I have spoken, were sent to the Tower of London : and Henry Howard, who had sued to the archbishop of York, upon suspicion was committed to the keeping of the archbishop of Canterbury.

About the same time, the queen of Scotland had sent a certain sum of money to the French embassador for her friends in Scotland. He delivered it to Barker and Higford, who acquainting the duke  
with

with the matter, delivered it to one Brown, a citizen of Shrewsbury, a retainer of the duke's, to be carried by Banister and Lander into Scotland, to the lord Herris. Brown being suspicious, when he perceived by the weight, that they had delivered the money in gold and not in silver, delivered it and the letters to the privy-counsellors.

It was hereupon observed by some intelligent persons, that this was the first time that the duke committed treason, in that he had given aid to Herris and the Scots, proclaimed enemies, who had depopulated the English borders. Hereupon Higford was cast into prison, and immediately confessed all he knew concerning the money; and, at the same time, he told them in what places he had hidden the letters, cyphers, and the narrative of the queen of Scotland, under the mat and in the tiles.

In this, the queen of Scotland expressed her mind as follows: "The French king allowed the conference appointed with the Scots, and that they proposed the marriage of Anjeou with queen Elizabeth, for no other purpose, but that they might, with the better colour deny their aid, promised to restore her: that they secretly sought to hinder her marriage with don John d'Austria; and that they favoured exceedingly the marriage with Norfolk, upon malice to the Spaniard: That the duke of Alba did disallow the purpose of sending back the queen of Scotland into Scotland, so much, that he thought thereby would be wrought not only the utter destruction of the queen, but also of the Romish religion in all Britain; because that the queen returned into Scotland would be in danger of siege, or else of necessity put to the adventure of a battle with the rebels, who may easily get her into their



hands, by the help of the English, before foreign aid could come to help her. Therefore, since she cannot be in safety in Scotland, and no hope of help was likely to be out of France, turmoiled with civil wars, the most convenient course seemed for her, to resort for succour to the king of Spain, who had offered to marry her to don John d'Austria, which yet she would refuse, upon condition that the romish religion might be restored in Britain by Norfolk: and also, that her son might speedily be conveyed out of Scotland and sent into Spain; for so he might be kept in safety, instructed in his tender years in the romish religion; and withall, all pretext taken from the Scots, who use his authority and name to countenance their rebellion. For the working of these things, and the procuring of foreign aid, Ridolph was with speed to be sent away, and admonished secretly to keep these things from the French king by all means."

When the privy-counsellors had received this narrative, the letters I above-mentioned, and others sent from the pope, and Barker being taken, had confessed all these things; sir Ralph Sadlier was commanded to watch the duke's house, at the Charter house in London, with a band of soldiers.

The next day, the duke himself being examined, (not knowing what his servants had confessed, and thinking that the narrative had been burned, and the letters also) denied all things stoutly. A day or two after, namely, on the seventh day of September, he was conveyed to the Tower of London again by sir Ralph Sadleir, sir Thomas Smith, sir Henry Nevil, and doctor Willon: and then Banister, who was the duke's lawyer, and the earls of Arundel and Southampton, the lords Lumley and Cobham, and Thomas his brother, Henry Percy,

Piercy, Lowder, Powel, Goodyere, and others, were put in prison; who every one, in hope of pardon, told all they knew.

As soon as the commissioners shewed him the confessions of these men, the letters of the queen of Scotland, and of Ross, with the narrative, he was astonished; but, beholding the commentary, with the letters which he thought had been burned, he broke out into these words: "I am betrayed" and undone by my servants, because I know not "how to distrust, which is the sinew of wisdom." But he besought the commissioners humbly to speak to the queen in his behalf, promising that he would conceal nothing that he knew; and solemnly protesting that he approved nothing which was injurious to the queen or prejudicial to the realm; and, that he entirely disapproved of the plots to surprize the queen and the Tower of London, and to set at liberty the queen of Scotland; and, that he never had a design to bring in any foreign forces, but only to suppress the Scots that rebelled against the queen.

The same day, being examined upon fifty articles, more or less, he concealed nothing. Then all the course of the business was declared in the Star-chamber, a great assembly of noblemen, the mayor and aldermen of London, being present; and afterwards to all the citizens in the Guild-hall; by William Fleetwood, the recorder.

But, when the bishop of Ross was accused by the confession of every one of them, and by the duke also, as the author of the design, a serious consultation was held, what was to be done with him, as he was an ambassador; for he, thinking it lawful for him to promote the affairs of his prince by any manner of means, and not to be brought in question of law upon the inviolable

privilege of ambassadors in a foreign court, had done many things long since turbulently, by kindling a commotion, and having nightly conferences with the earl of Southampton and others, and now again with the English fugitives in the Low-Countries, the duke of Alba, the king of Spain, and the pope, concerning the invasion of England: therefore the cause was proposed to David Lewis, Valentine Dale, William Aubrey, and Henry Jones, doctors of the civil law,

“ 1. First, Whether an ambassador, that raiseth  
 “ or procureth rebellion against a prince unto  
 “ whom he is ambassador, may enjoy the privileges  
 “ of an ambassador, and not be subject to punishment as an enemy ?”

They answered, “ Such an ambassador, by the  
 “ law of nations, and civil law of the Romans,  
 “ hath forfeited all the privileges of an ambassador,  
 “ and was subject to punishment.”

“ 2. Secondly, Whether an agent of a prince,  
 “ who is deprived by public authority, and in  
 “ whose place another is crowned, may enjoy the  
 “ privilege of an ambassador ?”

They answered, “ If such a prince be lawfully  
 “ deprived, his agent cannot challenge the privilege  
 “ of an ambassador, since none but they  
 “ which have the rights of an absolute prince can  
 “ appoint ambassadors.”

“ 3. Thirdly, Whether a prince, who shall  
 “ come into the kingdom of another prince, and  
 “ be kept in prison, may have his agent; and  
 “ whether he be to be accounted an ambassador ?”

They answered, “ If such a prince, who shall  
 “ come into the kingdom of another prince, and  
 “ be kept in prison, hath not lost his principality,  
 “ he may have an agent; but, whether that pro-  
 “ curator

“curator may be reputed an embassador that dependeth on the authority of his commission or delegation.”

“4. Fourthly, Whether, if any such prince do denounce and tell to such an agent and prince, being in prison, that this procurator shall be accounted no longer for an embassador; whether this procurator by the law may challenge the privileges of an embassador?”

They answered, “The prince may forbid the embassador from coming into the realm, and command him to depart out of the realm, if he does not confine himself within the bounds prescribed to an embassador; yet, in the meantime, he may use and enjoy the privileges of an embassador, according to the authority given him by his commission.”

After these answers of the learned lawyers, Ross being brought back out of the isle of Ely, was severely reprimanded, and told by the counsellors, that he was no longer to be acknowledged as an embassador, but, as a contriver of treasons, to be severely punished.

He answered, That he was the embassador of an absolute queen unjustly deprived: that he had dealt diligently, according to his place and duty, for the liberty of his prince, and the good of both the kingdoms: that he came into England with a sufficient authority (which he shewed) with the most ample authority of an embassador; and, that the sacred rights and privileges of embassadors are not to be violated upon any account.

Burleigh told him, that neither the privileges of embassy, nor letters of public credit, protect embassadors who offend against the public majesty of the prince, but that they are subject to punish-

ment; otherwise it might be lawful for wicked ambassadors to attempt any thing against the lives of princes.

He, on the other side, persisted in maintaining, that the rights and privileges of ambassadors were never violated by the course of law; but, to use his own words, “by the way of fact;” and vauntingly requested them not to use him with more rigour than was used to the English ambassador Throgmorton in France, and to Tamworth and Randolph in Scotland, who had raised sedition and openly maintained it; and had not any other punishment, but only were commanded to depart within a time appointed.

When they urged him with the testimonies of English men, he, with fair words, requested them not to do so, since it was a long received custom, which was grown to a law, as he said, That the testimony of a Scot against an English man, and of an English man against a Scot, was not to be received.

After much altercation, whether this was to be allowed, except between the borderers of both the kingdoms, and that also in matters of the borders; and then whether the English ambassadors had raised and fostered rebellions; Rofs was committed to the Tower of London, where he was kept very close, and answered in brief to all the interrogatories, with that caution and warriness, that his answers could hurt no body. He excused the queen of Scotland, since she, being a prisoner, and in the flower of her age, could not but seek all the means she could of liberty, since queen Elizabeth excluded her from all access to her, put her out of all hope of her liberty, and openly maintained her adversaries. He excused the duke, affirming that he had dealt nothing in the marriage  
with

with the queen of Scotland, but with the consent of most of the queen's council : adding, that he could not leave her (though he had promised so to do under his hand) for that there had passed a mutual repromission of future marriage between them before that time.

Lastly, he excused himself, since he, being an ambassador, could not, without a great offence, forsake his duty, and abandon his sovereign princess in her affliction and adversity; and, that he proposed the taking of queen Elizabeth for no other cause, but to try the duke's mind, whether he stood constant and resolute.

But the crimes of the other he extenuated with address, and by no means could be induced to tell the names of the noblemen that promised to help the duke to surprize the queen : but he confessed that he, by the queen of Scotland's orders, asked advice of the duke, Arundel, Lumley, and Throgmorton, by their servants that came to and fro, and the viscount Mountague by Lumley, concerning the delivery of the castles in Scotland, the hostages, the delivery of the king of Scotland to the English, and the restoring of the English rebels.

Thus much of these matters this year out of the duke's confessions, and the narrative of Ross himself, written with his own hand, sent to the queen of Scotland.

Matthew, earl of Lenox, regent of Scotland, grandfather to the king, had summoned an assembly of the estates at Stirling, in the king's name, where living securely, he was taken on the sudden by the noblemen of the contrary faction, who held a parliament at Edinburgh at the same time in the queen's name. He had surrendered himself to David Spense of Wormelston, who exerting himself

to the utmost to save his life, was slain, together with the regent, who had governed the realm for the king his grandchild but fourteen months, by Bell and Caulder. In his place was substituted, by the voices of the king's faction, John Areskin, earl of Mur, who died after he had been regent but thirteen months.

These dangerous times produced, in the parliament held in England, this law : It was made treason, if any attempted any harm or hurt, made war, or moved any other to raise war, against the queen. If any affirmed that she possessed not the crown rightfully, but that others had more right to the crown; or did say that she was an heretic, schismatic, or infidel; did usurp the right of the kingdom during her life, or shall say that any other hath right to the crown, or that the laws and statutes cannot define and bind the right of the crown, and the succession of the same. If any in the queen's life, by written or printed book, expressly affirm, that any is or ought to be heir or successor to the queen, besides the natural issue of her own body; or shall print or sell any books or schedules to that effect; he and his fautors for the first time shall be imprisoned a whole year, and lose half his goods; and, for the second offence, incur premunire; that is, to lose all his goods and lie in prison for ever.

This seemed somewhat severe to many who were of opinion, that the tranquillity of the realm would be established by the designation of a certain heir: but many obscene jests were made upon that clause, "Besides the natural issue of her body," since the lawyers call them natural that are born out of matrimony; but the legitimate they call, out of the form of words used in the law of England, Children of his body lawfully begotten; in-  
so much

## MARY Queen of SCOTS.

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so much that, being a young man, I heard it often said, that the word was thrust into the act by Leicester, to the intent that he might, at one time or other, force upon them, against their wills, some bastard son of his, as the natural issue of the queen.

An act was made also, at this parliament, that it should be treason to reconcile any to the church of Rome, by any bulls or rescripts of the popes, or any that were reconciled: they that abetted the reconcilers, or brought in any Agnus, Deigrana, crucifixes, or other things consecrated by the pope, into England, should incur the penalty of premunire. And that it should be misprision of treason in them, that did not discover their reconcilers.

It was moved in the same parliament, that if the queen of Scotland offended again against the laws of England, that they might proceed against her, according to the law, as against the wife of a peer of the kingdom of England: but the queen would not suffer it to pass.

On the sixteenth day of January, Thomas Howard, duke of Norfolk, was arraigned at Westminster-hall, before George Talbot, earl of Shrewsbury, appointed for that day lord high steward of England; and, on both sides of him sat the peers, namely, Reynold Grey, earl of Kent, Thomas Ratcliff, earl of Suffex, Henry Hastings, earl of Huntingdon, Francis Russel, earl of Bedford, Henry Herbert, earl of Pembroke, Edward Seymour, earl of Hertford, Ambrose Dudley, earl of Warwick, Robert Dudley, earl of Leicester, Walter Devereux, viscount Hereford, Edward Clinton, admiral, William lord Howard of Effingham, chamberlain, William Cecil, lord Burghley, secretary,  
Arthur



Arthur, lord Grey, of Wilton, James Blount, lord Mountjoy, William lord Sands, Thomas, lord Wentworth, William, lord Burrough, Lewis, lord Mordaunt, John Powlet, lord St. John of Basing, Robert, lord Rich, Roger, lord North, Edmund Bruges, lord Chandois, Oliver, lord St. John of Bleneeshoo, Thomas Sackville, lord Buckhurst, and William West, lord Delaware.

Silence being made, the letters-patents of the commission were read; then a white wand was delivered to the lord Steward, by Garter king at arms, which he shortly after delivered to the serjeant at arms, who stood by, and held it up all the while. Then the earls and barons were called by their names, and every one made answer to his name.

Then silence was made again, and the lieutenant of the Tower was commanded to return his precept, and to bring the duke to the bar, forthwith. He was brought in, and sir Owen Hopton stood on the one side of him, and sir Peter Carew on the other side; and next by him, stood a man holding an axe, with the edge from the duke.

Silence being made again, the clerk of the crown spoke thus to the duke: "Thomas, duke of Norfolk, late of Keningale, in the county of Norfolk, hold up thy hand:" (which, when he had done, the clerk read the indictment with a loud voice, that is to say, That, in the eleventh year of queen Elizabeth, and after the duke did traiterously devise to deprive her of her crown, and to kill her, and to raise war against her, and to bring in foreign forces to invade the realm. That, whereas he knew Mary, late queen of Scotland, had claimed the diadem of England, with the title and arms thereof, yet he, without  
the

the queen's knowledge, intended to marry her, and lent her a great sum of money, contrary to the promise he had made under his own hand. That, whereas he knew the earls of Northumberland and Westmoreland, Markenfield, and others, had raised a rebellion against the queen, and were fled into Scotland; he assisted them with money. That, in the thirteenth year of the queen, he by letters, requested aid of men from pope Pius Quintus, the professed enemy of the queen, the king of Spain, and the duke of Alba, to deliver the queen of Scotland, and to restore popery to England. Lastly, that he gave aid to Herris a Scot, and other enemies of the queen in Scotland.

This being read, the clerk asked the duke, whether he was guilty of these crimes or no?

He required, that if it were lawful by the law; he might have a lawyer appointed him to plead his cause. Catlin, chief justice, answered, that it was not lawful.

The duke said, "It is meet that I submit myself to the opinion of the judges; but there may be many dark and obscure points in this business; neither understood I of my arraignment till within this fourteen hours; I was kept from books; now I see, I am to fight for my life without weapons: yet I have heard, that a lawyer was assigned to Humphry Stafford in a case of treason, in the reign of Henry VII."

Dyer, chief justice of the Common-Pleas, answered, That a lawyer was assigned to Stafford about the privilege of the sanctuary, from whence he was taken away by force; and, that he answered for himself without a lawyer for the treason.

The

The duke said, "I must speak this day for my life, my goods, for my children; and that which is most to be respected, for my loyalty and honesty, (let honour go by:) yet, let me ask one question, Whether that the enumeration of the crimes must be holden for true in every part, and to which part I must answer?"

Catlin said, When the causes be true, the enumeration is also to be accounted true.

"I desire to be told, said the duke, whether every singular thing be treason; for I have heard, in the cause of the lord Scroope, in the reign of Henry IV."

As he would have said more, the clerk of the crown interrupted him, speaking aloud; "Thomas, duke of Norfolk, art thou guilty, or not guilty?" He said, Not guilty.

The clerk asked him again, How wilt thou be tried?"

"I commend, said he, my cause to God and my peers; the heinousness of my crimes woundeth my heart; but the benignity of her majesty, from whom I could expect no more, doth comfort me; and, I beseech you, my lord steward, that I may be dealt with according to law; and that my memory may not be oppressed with the confused variety of things. That I have you my peers and judges, I acknowledge myself happy; for, unto many of your integrity I would commit my life. I, trusting unto mine innocency, did not fly; but yet I cannot but ingenuously confess, that I have transgressed against the queen, but in no treason. I beseech you let not those things of smaller moment be put amongst the other of treason."

Then

Then said Barham, the queen's serjeant at law, the crimes of treason whereof thou art indicted, are these ; Thou didst devise to deprive the queen of her realm and of her life : thou didst intend to marry the queen of Scotland : thou didst send for foreign power to invade the realm : thou didst assist the rebels, and didst help the Scots, enemies to the queen.

The duke interrupted him, saying, " Barham, I pray you do not aggravate the matter with words, in objecting the marriage, and other things, which do not amount to treason."

Barham, turning to the noblemen, urged the matter, saying, He that would marry her that claimeth the kingdom, the same man desireth and seeketh after the kingdom ; but this the duke began when he was one of the commissioners at York, to hear the cause of the queen of Scotland ; at which time he was sworn to weigh indifferently and uprightly the accusations and defences on both sides.

The duke said, " That cause hath sundry parts, which are without the compass of treason."

The steward of England bid the duke not to use such digressions from the purpose : and, when Barham still urged it, with a loud voice, he acknowledged, that the queen of Scotland had claimed the realm of England as due to her, but that she had given over the claim long since.

Barham, to the contrary, shewed how she had not left off the claim, because she had not yet made a release or renunciation thereof ; and he accused the duke heinously, for having taught the delegates of Scotland what to say ; and this from the confession of the bishop of Ross.

The duke confessed, that Lidington proposed the marriage to him, and that he refused it ; and that

that he told them nothing ; and requested, that the bishop of Ross might be produced before him.

Then Barham insisted at large upon many things which have been mentioned before, to prove that the duke aspired to the sovereignty, and stood much upon this point : What else could the duke propose to himself in marrying the queen of Scotland, a woman without goods, without kingdom, (her son being now established in the realm of Scotland) but that he might get, by her means or right, the kingdom of England, and consequently deprive the queen of her life and kingdom ?

The duke said, “ These things are far fetched to convince me to have imagined the deprivation and destruction of the queen.”

I will come nearer, said Braham ; it is not unknown that you devised with others, to surprize the tower of London, which is the chiefest hold of England, so that it necessarily follows, that you then compassed the destruction of the queen, since kingdoms cannot endure a partner.

The duke denied not, that one Hopton put into his head the surprizing the Tower, but that he rejected the proposition : Why then, said Braham, didst thou ask the earl of Pembroke’s advice, who dissuaded thee ?

Barham went on, and urged him, that when the queen requested of the infant king of Scotland certain castles, and the English rebels to be deliver’d out of Scotland, the duke secretly required the Scots not to consent thereunto. He accused him also of having attempted privily to steal away the queen of Scotland out of prison ; and this was after he had solemnly promised to meddle or deal with her no more.

Then

Then Candish was brought in witness against him ; that the duke had a resolute purpose to marry her ; and that he asked him, if he could draw his uncle to his side if queen Elizabeth died.

The duke utterly denied these things, and rejected his testimony, as that of an indigent man that was ready to depose any thing. Moreover, it was made appear, that the duke sent his man to the earls of Northumberland and Westmoreland, to advise them not to rise in rebellion, as a thing that would prove very dangerous. Also, the letters of the queen of Scotland were produced ; wherein she lamented, that Northumberland was intercepted before he was ready to rise.

To these things the duke answered : “ These reasons do not probably prove, that he compassed the destruction of the queen ; and that nothing yet brought against him, was of any moment, but only the testimony of the bishop of Ross ; neither was this to be received, since he was a foreigner, citing the authority of Bracton, the most learned lawyer of our land ; that he never made such reckoning of Northumberland and Westmoreland, that he would put his life into their hands ; but relied and trusted so much unto his innocence, that he had never so much as a thought to fly.”

Gerard, the queen's attorney, said, It was evident, that he intended to marry the queen of Scotland to work the queen's destruction : that it was also evident, that he deliberated about invading the realm, by the letters to the pope, the king of Spain, and the duke of Alba. All his dealings with Ridolph were then well known, by the secret cyphers and characteristical notes hidden under

der the tiles of Howard-house; also by the letters (which he commanded to be burned) found in the mats in the entry of the chamber; and all these things may be proved out of the examinations of them who were not terrified with torments, nor attainted of treason.

To these matters the duke said, "Of the consulation of the pope and the king of Spain, I was neither author nor fautor; yea, I always disliked them. Let them be punished that committed the fault, and let them not charge me, to excuse themselves."

Furthermore, Gerard accused the duke of having talked with Ridolph of the landing of ten thousand soldiers out of Flanders at Harwich, a haven in Essex; and this from the examination of Barker: and added, that letters were written and sent by Ridolph to the king of Spain and the duke of Alba; to which, although the duke did not subscribe, yet, that he sent, by the advice of Rofs, Barker his secretary, to the Spanish ambassador, to assure them that they were his very letters.

The duke said, "My memory faileth me, neither can it call to mind such intricate variety of matters. You lawyers have your brief notes, I am put to answer extempore. This is also improbable, that I should deal with the pope, to whose religion I was always an adversary. I had rather be pulled in pieces by horses, than revolt from the religion I profess. The situation of Harwich doth easily confute all this accusation. Who seeth not, how hard a matter it is to bring an army through that country, which is all enclosed, and most troublesome, with narrow ways? If I had imagined to make war against my prince, I should, doubtless, have furnished  
" myself

“myself with armour; but, in the seven whole  
 “years, I have not bought any more than eight  
 “corsets, and no gunpowder at all; I would  
 “never have committed such letters unto Bar-  
 “ker’s fidelity, but rather unto Banister, whom I  
 “esteemed above many Barkers.”

Then the letters of the bishop of Ross were produced, sent from prison to the queen of Scotland, and intercepted; from which the former things were confirmed.

The duke desired to see the letters; for he seemed to doubt that they were counterfeit; but the lord-steward said, Doubt not, that they are written with Ross’s own hand. Another short letter, written with oke by the duke, commanding his man to burn a bundle of letters hidden in a certain place, and to lay the fault upon Ross, who might easily escape the law, by the privilege of an embassador, was also produced.

To these letters the duke said, “I being certified, that it was divulged among the common people, that I had accused many, I answered in that short letter; and, when I saw all places narrowly searched, I commanded that bundle to be burned, that I might keep many men from trouble.”

Bromley, the queen’s solicitor, shewed the letters of Ridolph, wherein he signified, that the duke of Alba approved their design; and also the pope’s letter to the duke, dated the tenth of May.

Then Wilbraham made an eloquent speech concerning the credit of the testimonies of the bishop of Ross, and of the duke’s servants.

To which the duke said, “I have not the skill to refel so polished and rhetorical a speech; yet the orator, as skillful as he is, for all that, left



“out what the force of fear is, which oftentimes  
 “quelleth and daunteth a good courage; and  
 “again, he commended and urged Bracton against  
 “the credit of foreign witnessers.”

Catlin, chief justice, made answer, In such  
 causes as these, the testimonies of foreigners are  
 allowable, and that it was at the discretion of the  
 peers to give credit to reject such testimonies.

They then came to prove that the duke had as-  
 sisted the rebels after they were fled; which ap-  
 peared from the letters of the countess of Nor-  
 thumberland, in which she gave thanks to the  
 duke for the money secretly sent to her and her  
 husband.

As concerning the last objection, about assist-  
 ing the Scots, enemies to the queen, it was proved  
 out of the duke's letters to Banister, out of the  
 confession of Banister, and the money delivered to  
 Brown of Shrewsbury.

Here the duke asked the judges, “Whether  
 “the subjects of another prince, confederate with  
 “the queen, may be accounted enemies to the  
 “queen?” Catlin answered, They might; and  
 that the queen of England may make war with  
 some duke of France, and yet, at the same time,  
 be in amity with the king of France.

When night approached, the lord steward asked  
 the duke what he had more to say for himself?  
 He answered, “I put my trust in the equity of  
 “the laws.”

The lord-steward commanded the lieutenant of  
 the Tower to take the duke aside; and then silence  
 being made, he turned to thee peers, and said,  
 “You have heard how Thomas, duke of Norfolk,  
 “hath been indicted of high-treason, who hath  
 “pleaded not guilty, and put himself unto God  
 “and

“and to you; therefore it is your part, to consider among you, whether he be guilty or no, and to declare your opinion according to your conscience, and upon your honour; and, at the same time, he bid them go aside, and consult with each other.

After a short time, they returned to their places; then the steward, beginning at the lowest, said, “My lord Delaware, is Thomas duke of Norfolk guilty of the crimes of high treason, whereof he is indicted, or not guilty?” He rising up, and laying his hand on his breast, said, “guilty.” In like manner were they all asked in their order.

Then the duke was brought again to the bar; unto whom the lord steward spoke in this manner: “Thomas, duke of Norfolk, thou hast been indicted of sundry high treasons, and put thyself to be tried by God and thy peers, who have found thee guilty; hast thou any thing to say why judgment should not be given against thee?” he answered, “The will of God (who will judge between me and my false accusers) be done.”

All men now keeping silence, the edge of the axe was turned towards him: then Barham, for the queen, requested the lord steward to give judgment; which he (weeping) did, in these formal words: “Forasmuch as thou, Thomas, duke of Norfolk, hast been indicted of high treason, and hast pleaded not guilty, and hast put thyself upon thy peers, who have found thee guilty; therefore this bench doth adjudge, that thou shalt be led back from hence to the Tower (from whence thou camest) and from thence laid on a hurdle, shalt be drawn unto the place of execution, and there be hanged, cut down

“ alive, bowelled, thy head cut off, thy body divided into four quarters, to be disposed of at the queen's pleasure : and so our Lord have mercy on thy soul.”

The duke hearing this judgment, said with a good courage; “ Judgment is given against me, as against a traitor ; I trust in God, that excluded from your fellowship, I shall enjoy the celestial fellowship ; I will rather prepare myself to die ; I request this one thing, that the queen would be good to my children and servants, and see my debts paid.”

A few days after, Barney and Mather were executed, who conspired with Herle a ruffian, to kill some of the privy-counsellors, and to deliver the duke ; but Herle presently discovered the matter, to whom Barney said smiling (when he saw him brought to give evidence against him) “ Herle, thou wentst but one hour before me, otherwise I had stood there in thy place to give evidence, and thou hadst stood here in my place to be hanged.”

These plots, and the like, which were many, were taken hold of to hasten the duke's death, which yet was deferred for four months. But, on the second day of June, at eight o'clock in the morning, the duke was led to a scaffold, new-built on Tower-hill; and, when he was gone up, and Alexander Nowel, dean of St. Paul's, (who was there to comfort him) had required the people to be silent ; he said, “ It is no strange thing for men to suffer death in this place, although I am the first since the queen's reign, God grant I may be the last ;” the people said aloud, Amen. He continued as follows: “ I acknowledge, that my peers have justly found me guilty, neither do I purpose to excuse myself ; I do  
“ inge-

“ ingenuously confess, that I have dealt with the  
 “ queen of Scotland in weighty and important bu-  
 “ siness, without the knowledge of my queen,  
 “ which I ought not to have done; for the which  
 “ I was imprisoned. But being let out, when I  
 “ had submitted myself, and given my word, that  
 “ I would not have any more to do with her; yet  
 “ I confess I have had, and that troubleth my  
 “ conscience: but I neither promised, nor swore  
 “ it at the Lord’s table (as the common report is)  
 “ I talked once with Ridolph, but nothing to the  
 “ hurt of the queen; for very many know, that I  
 “ had reckonings and accounts about money with  
 “ him upon bonds. I found him to envy the  
 “ tranquillity of England, and to be very sharp-  
 “ witted to devise mischief; I saw two letters from  
 “ the pope, to which I assented not; neither did  
 “ I, to the rebellion in the North: I was never a  
 “ papist; ever since I had any idea of religion, I  
 “ embraced the true religion, and put all my  
 “ trust in the blood of Christ my Redeemer and  
 “ Saviour; yet I cannot deny, but I had some  
 “ servants and familiar friends, which were ad-  
 “ dicted unto the pope; if I have sinned against  
 “ God, the church, or protestants therein, I hum-  
 “ bly desire God and them to forgive me.”

Then reciting a psalm or two, he said with a  
 loud voice, “ Into thy hands, O Lord, I com-  
 “ mend my spirit.” Then he embraced Henry  
 Lee, and whispered a few words in his ear, and  
 also to Nowel the dean, who, turning to the peo-  
 ple, said, The duke desireth you to pray to God,  
 that he may have mercy upon him, and to be  
 silent, that his mind may not be distracted.  
 He forgave the executioner, and refused the nap-  
 kin, with which he offered to cover his eyes, and  
 said, “ fear not death.” He kneeled awhile in

his prayers, and Nowel with him; then laying his head on the block, it was severed from his body at one blow, and was shewn to the people by the executioner.

Scarce ten days after his execution, William, lord Delaware, Ralph Sadleir, Thomas Wilton, doctor of laws, and Thomas Bromley, the queen's solicitor, were sent to the queen of Scotland, to expostulate criminally with her, for having usurped the title and arms of the realm of England, and had not released nor renounced them, as was agreed in the treaty of Edinburgh; for having sought to marry the duke of Norfolk without the queen's consent, adding that to get and obtain the same marriage with the better success by force, and to deliver the duke out of prison, she had tried all means, by her agents and ministers: that she had raised the rebellion in the North, had relieved the rebels, after they were put to flight, in Scotland and the Low Countries: that she had made suit, by Ridolph the Italian, foreign assistance, from the pope, from the king of Spain, and others, to invade England: that she had conspired, with certain Englishmen, to take her by force out of prison, and to proclaim her queen of England: that she had received letters from the pope, wherein he promised to cherish her, as the hen does her chickens, and to account them, that stood for her, the true children of the church. Lastly, that she had procured the pope's bull against the queen, and had suffered herself to be publicly called queen of England, by her servants and ministers in foreign countries.

To these things she answered, with great fortitude and resolution, (first protesting, that she was a free queen, and subject to none)

“ 1. That

“ 1. That she had not usurped the title and  
 “ arms of England; but that the king of France,  
 “ and her husband, imposed them upon her, being  
 “ very young, and under the direction of her  
 “ husband, and therefore not to be laid upon her  
 “ for a fault: neither that she did wear or use  
 “ them after her husband’s death; neither that  
 “ she will claim them as long as queen Elizabeth  
 “ and her children lived.

“ 2. That she never imagined any detriment  
 “ or hurt to the queen, by her marriage with the  
 “ duke of Norfolk, being persuaded it would be  
 “ for the good of the commonwealth; and that  
 “ she did not renounce it, because she had given  
 “ her faith and troth unto him.

“ 3. That she willed the duke, by some means,  
 “ to get away out of danger and prison, which she  
 “ did, out of the duty she owed to him as her  
 “ husband.

“ 4. That she had not raised rebellion, nor was  
 “ privy to the same, who was always most ready  
 “ to reveal any attempts against the queen, if she  
 “ would vouchsafe to hear her speak.

“ 5. That she never relieved the English re-  
 “ bels, only that, in her letters, she commended  
 “ the countess of Northumberland unto the duke  
 “ of Alba.

“ 6. That she used Ridolph (whom she knew to  
 “ be highly in the pope’s favour) in many mat-  
 “ ters, yet received no letters from him.

“ 7. That she never moved any to attempt her  
 “ deliverance; yet, that she willingly gave ear  
 “ unto them that offered their labour therein;  
 “ and, for that purpose, that she communicated  
 “ unto Rolston and Hall a private character.

“ 8. That she had received sometimes letters  
 “ from the pope, very pious and consolatory, in  
 “ which were no such phrases of speech.

“ 9. That she procured not the bull: that she  
 “ only saw the copy thereof printed, and, when  
 “ she had read it over, that she burned it.

“ 10. That if any in foreign regions write or  
 “ name her otherwise than they ought to do, let  
 “ them answer for it.

“ 11. That she never by letters required aid of  
 “ the pope, and the king of Spain, to invade Eng-  
 “ land, but only to be restored into her kingdom  
 “ by their means, and that with the queen’s  
 “ privacy.

“ 12. But, if any question or doubt be made of  
 “ those letters of effecting the marriage by force of  
 “ arms, she requested (since she was borne of the  
 “ royal blood of England) that she might answer  
 “ personally in the next parliament that was made  
 “ to be holden.”

At this time the French king, favouring the queen of Scotland and her party, and the queen of England the king and his party) earnestly moved queen Elizabeth to deliver the queen of Scotland, which the queen of England refused to do, saying, In very truth, I keep the queen of Scotland in custody, after a fair manner, as a pledge of mine own security, and of the safety of England: but, when it came to light, that the queen of Scotland intended a secret confederacy with the king of Spain, by the lord Seton, who landing in Essex disguised like a mariner, had promised assistance of men to the Scots, of the queen’s party from Alba; she was then kept straiter in prison, and the kindness of the French toward her was greatly diminished.

Shortly

Shortly after, the league between England and France being concluded at Blois, and the duke of Momorancy being sent into England to confirm the same; he, in a few words, in his master's name, requested, that as much favour might be shewed to the queen of Scotland, as could be without danger. That there might be a cessation of arms in Scotland, and that concord might be established there by parliament.

He was answered, That more favour was shewn to the queen of Scotland than she deserved, and should be shewn for the French king's sake, although the states of the kingdom, who were now assembled, thought the queen could be in no security without some severity being used towards her. As for the cessation of arms, the queen had dealt diligently therein; and, for that purpose, had sent very lately Drury, the marshal of Berwick, with Crocus the French ambassador; and that they, by no persuasions, could bring Grange and the garrisons in the castle of Edinburgh to peace, being induced by hope of assistance from France and the Low-Countries, though Huntley, and Hamilton Arbroth for the duke his father, had bound themselves under their hands, to observe peace; and the others of the queen's party, had given their word also.

In Scotland, in the year 1573, James Douglas, earl of Mourton, by the means of queen Elizabeth, was made regent in the place of the earl of Mar, who, having his authority established in the parliament, enacted in the king's name, certain laws, against the papists, and against heretics; but the custody of the king, he confirmed to Alexander Areskin; for that the earl of Mar (to whom the custody of the king of Scotland, in his minority,



city, belongs by a peculiar right) was under age, upon these conditions, that is to say, That the papists, and they of the other faction, should be utterly excluded; an earl might come in with two men, a baron with one man, other men alone, and every one of these unarmed.

And whereas queen Elizabeth, by Henry Killigrew, had prevailed on James Hamilton, duke of Chastellerooy, George Gordon, earl of Huntley, who stood for the queen, to receive these conditions; namely, To acknowledge the religion established in Scotland: to submit themselves to the king, and also to Mourtoun as his regent, and to his successors in the government: to renounce the authority of all others: to account them traitors by authority of parliament, that attempted any thing against the religion, the king or regent: that the sentence against the Hamiltons and Gordons should be repealed, &c.

But these conditions, William Kircaldy, lord of Grange, the lord Hume, Lidington, and the bishop of Dunkelden, and others, who thought the queen of Scotland treated injuriously, would upon no terms admit; but fortified the castle of Edinburgh, of which Grange was captain (placed therein by Murray) expecting assistance from France and the duke of Alba; but sir William Drury being sent into Scotland with forces out of England to join with the Scots, the same castle was surrendered on the thirty-third day of the siege, and so the castle, and all the prisoners were delivered to the regent, who hanged Kircaldy without mercy, spared Hume and others at the request of queen Elizabeth; Lidington was sent to Lieth, where he died, not without suspicion of poison.

And

And to secure England from clandestine attempts at home (on the behalf of the queen of Scotland) John Lesly, bishop of Ross, who had served his queen faithfully, yet with the destruction of many men, and danger of more, was released from prison, and commanded to quit England; whereupon he went into France, fearing Southampton, whom he had brought into trouble, and also Henry Howard, the duke of Norfolk's brother; to mollify whose anger he wrote an apology.

He was scarce departed, but his secret letter-carrier, Henry Cokin, was taken; and by him was Morgan detected, who, prompt to do some exploit for the queen of Scotland, forthwith fled away. Atsloe and Goad, doctors of physick, and Francis Bertie, because they had a secret correspondence with her, were some months in prison: and, for the same cause, Henry Goodyer, and Richard Louder, were called to an account.

In the mean while, Ross did not neglect any duty of a most faithful subject to the queen of Scotland, towards the emperor, the pope, the French king, and the catholic princes of Germany, who every one gave good words and hopes, but yet performed nothing, and also the duke of Alba, in whom he put his greatest trust, at this time departed out of the Low-Countries, to his great grief.

Henry, the third of that name, king of France, and his mother, did all that they could by secret practices to get the young king of Scotland into France, and to get Mourtou out of his office of regent, sending secretly Scots out of the French guard for this purpose into Scotland; which thing the queen of Scotland desired much, being persuaded that, if her son were in France out of danger,

ger, that she and the papists in England should be dealt with more mildly. For hereupon she thought it would come to pass, that the faction in Scotland, hitherto countenanced by the authority of the king's name, would decay and come to nothing; and that the English would fear him, whether he resided in France or Scotland: and, as much did the French with the same; secretly fearing lest the regent of Scotland, depending wholly on the English, should dissolve the ancient league between the Scots and the French. Yet, when the regent earnestly requested that a league of mutual defence between England and Scotland might be made, he was not heard; perhaps because he requested at the same time that an annual pension might be assigned to him, and to other Scotchmen. But they were listened to who fastened a suspicion upon the queen of Scotland, the countess and earl of Shrewsbury, as though they had endeavoured to bring about a marriage between Charles, uncle to the king of Scotland, to whom the king had lately in the parliament confirmed the earldom of Lenox, and Elizabeth Candish, daughter to the countess of Shrewsbury, by her former husband, without the queen's knowledge: for which both their mothers were kept in prison, and all the fault was laid upon the queen of Scotland: and, when several suspicions grew concerning the intent and purpose of this marriage, Henry, earl of Huntingdon, was made lord-president of the council in the north, with new and secret instructions concerning this matter.

This year, 1575, died in Scotland the most noble lord James Hamilton, duke of Chastelauroy, and earl of Arran, who was descended from James, the second king of Scotland, by his daughter, who had

had been the tutor of queen Mary of Scotland, and governor of the kingdom while she was in her minority.

At such time as he had delivered her to the French, he was made duke of Chasteauleroy in France, then chief of the three governors of Scotland appointed by Mary in her captivity; and, in defending her cause, he who was entirely unacquainted with chicanery, was greatly perplexed by the practices of turbulent and evil minded people.

Don John of Austria, had made a perpetual edict at Gaunt, to give satisfaction to the states of the Netherlands for their grievances; which the prince of Orange utterly condemning, opportunely heard, that Don John intended to marry the queen of Scotland; which he gladly laid hold of, and forthwith informed queen Elizabeth of it by Famier, in order to render her averse to peace; yet she, as though she had been ignorant of it, by Daniel Rogers declared her joy at the perpetual edict of peace, though now she had certain knowledge, that Don John, by the persuasion of the earl of Westmoreland, and the English fugitives, and the instance of the pope and the Guises, had in hope possessed himself of the queen and the kingdoms of England and Scotland; and had already resolved to surprize the Isle of Man in the Irish sea, as a fit place to invade England out of Ireland, and the west borders of Scotland, in which the queen of Scotland had many zealous partizans; as also in the opposite side of England, North-wales, Cumberland, Lancashire and Cheshire, where most of the inhabitants were papists.

But Don John, as we have learned of Perez, secretary to the king of Spain, when he had lost the hope of the kingdom of Tunis, had dealt covertly with the pope about the expulsion of queen Elizabeth,

Elizabeth, the marrying of the queen of Scotland, and the conquest of England; and unknown to Philip, had prevailed so far, that the pope, as if through attachment to the common good, moved Philip to make war with England; and Don John himself, being ready to quit the Low-countries, had prosecuted it earnestly in Spain; and afterwards by Escovedo, sent out of the Netherlands, he had desired to have some havens in Biscay granted to him, from whence he might invade England with a navy: but Philip disliked their intentions, and began to neglect him as one over-ambitious.

Yet queen Elizabeth did not understand these things fully till Orange informed her.

In the mean time, Don John, covertly prosecuted the marriage, and, at the same time, to cloak the matter, sent to queen Elizabeth the viscount of Gaunt, to shew her the conditions of the peace, and to request longer days of payment for the money lent to the states; which she willingly granted, and dealt with him again by Wilfon, to recompence the merchants of England for the hurt sustained in sacking of Antwerp.

He eluded the matter, and, whilst he seemed to attend to the perpetual edict for peace, he broke out suddenly into open war, and by policy got into his hands many cities and castles; and wrote to the king of Spain, that he thought it best to subdue and conquer the island of Zeland before the inland provinces: and, believing what he hoped, endeavoured to persuade him, by his secretary, that England was easier to be conquered than Zeland.

About this time Margaret Douglas, countess of Lenox, niece to Henry VIII. by his eldest sister, widow of Matthew, earl of Lenox, grandmother

to James, king of Great-Britain, departed this life, in the threescore and third year of her age, and was buried at Westminster with a solemn funeral, at the queen's charge. She was a matron of great piety, patience and chastity. She had been three times imprisoned, not for treason, but for love affairs: first, when Thomas Howard, son to Thomas Howard, first duke of Norfolk, being in love with her, died in the Tower: then for the love of Henry Darnly, her son, to queen Mary of Scotland: lastly, for the love of Charles, her younger son, to Elizabeth Candish, mother to Arbella; which marriage the queen of Scotland was accused of being privy to.

About the same time, the credit and authority of Mourton began to decay; insomuch that he was removed from his office of regent, and the administration of all things delivered to the king by the common consent of the states; and, because he was not past twelve years old, to twelve of the chief noblemen, which were named; of whom three, every three months by turns, should be present with the king, to give him advice; and Mourton was one of them, that they might appear to abridge his power, and not to degrade him entirely.

Shortly after, Mourton trusting to his sagacity, long experience, and many dependants and retainers, thinking nothing well done except he himself did it, and also not brooking not to be the same man he had been, assumed all the administration to himself, not regarding his associates, and not observing the consent of administration set down, he detained the king within the castle of Sterling, and shut out and excluded whom he pleased, and admitted others at his own choice.

The.

The noblemen being provoked at this, made the earl of Athol their captain, and made proclamation, in the king's name, that all men above sixteen, and under threescore years, should meet in armour, with victuals for fifteen days.

There met very many, and, with banners displayed, they marched unto Faw Kirk, where Mourton, with his friends, met them in armour, ready to fight: but Robert Bowes, the English ambassador, by entreaty, and proposing honest conditions, kept them from fighting; and Mourton forthwith, as weary of business, went home secretly; and the earl of Athol died soon after, not without suspicion of poison; which the enemies of Mourton turned against him, and for this, and other things, they never ceased to persecute him, till they had brought him to his destruction, as we will declare hereafter.

Queen Elizabeth, that she might be more secure at home, purposed to make an accommodation with the queen of Scotland by Walter Mildmay; but finding out that Guise was devising some secret practices with some English fugitives, and to gather forces together, under pretence to send them into the Low-countries, to serve under the duke of Anjou, but indeed to be transported into England, from Ewe, an obscure part in Normandy belonging to him, the matter was put off till another opportunity, and she was not regarded.

But, about the same time, William Ruthen, whom the king had lately created earl of Gowry, not degenerating from his father, who bore a deadly hatred against the king's mother, and other conspirators devised to remove Lenox and the earl of Arran from the king, under pretext of securing religion,

religion, the king's safety, and amity of England; being excited thereto by their ministers. So, when Lenox was departed from Perth, where the king lay, to Edinburgh, about some affairs of the realm, and Acran also was absent; Gowry, Mar, Lindsey, and others, taking the opportunity, invited the king to the castle of Ruthen, where they detained him against his will, and would not permit him to ride or walk into the fields, threatening him with death. They put from him all his faithful servants, cast the earl of Arran into prison, and compelled the king to call home the earl of Angus, who was banished; and to send back Lenox into France, who, being a man of a mild nature, surrendered the castle of Dunbritton, which he might easily have defended, by the persuasion of the king set on by them, did not refuse to return to France: but they, not content herewith, enforced the king against his will to approve this his surprize in letters to the queen of England, and to pronounce the assembly of the states, summoned and called by them, to be lawful.

When the French king heard this for a certain, he dispatched Motfenelan by England, and Manninguil by sea, with one and the same instructions into Scotland; namely, that they should take some order by one means or other to set the king at liberty, and confirm the faction of France, to allure and win the king's mind to the friendship of the French; and, as joyful news, signify to him, that the queen his mother, out of her motherly affection, did grant and bestow upon him the title of king, and admit him very willingly to a share of the kingdom, to the end that he might be taken and acknowledged as a true and lawful king by all Christian princes, and all the Scots; and thereby



the division and partaking of factions wholly removed.

She, in the mean time, being troubled in mind, oppressed with anguish, and pining away with the calamity of her long lasting imprisonment, without any hope of liberty ; in her long letters written in French, which her motherly love and anxiety of mind extorted, deplored to queen Elizabeth her grievous and hard fortunes, and the the most distressed condition of her son, in these terms :

“ WHEN I heard for certain, that my son  
 “ was taken and surprized by rebels (as I myself  
 “ was some years ago) out of a just fear lest he  
 “ should fall into the same and like unfortunate  
 “ estate that I am in, I cannot but pour out my  
 “ mournful complaints, and engrave the same, if  
 “ it may be, in thy conscience, that my innocency  
 “ may evidently appear unto posterity ; and also  
 “ their ignominy and shame, by whose iniquity I am  
 “ cast into these miseries.

“ But, since the policies and cunning reaches  
 “ of these persons, though wicked and lewd, have  
 “ hitherto prevailed more with thee than my just  
 “ complaints ; let the right and justice now yield  
 “ and give place unto thy power, and let force  
 “ oppress the truth with men ; I will appeal unto  
 “ the immortal God, whom alone I acknowledge  
 “ to be superior of us princes of equal right and  
 “ honour : and I will call upon the same God,  
 “ with whom glosses and deceits are not regarded,  
 “ and will not prevail, that, at the last day, he  
 “ will reward us two as we deserve each to other,  
 “ howsoever my adversaries have skill to cloak their  
 “ crafty and deceitful policies with men, and, per-  
 “ adventure, also with thee.

In

“ In his name therefore, and as it were before  
 “ his judgment-seat, I present unto thy mind, by  
 “ what policies some spies, using thy name, drew  
 “ the Scots, my subjects, to rebel against me, at  
 “ such time as I lived in Scotland; and set on foot  
 “ all the evils which have happened there from  
 “ that day to this. Which thing, not to speak of  
 “ other matters, is most evident and apparent, by  
 “ testimonies openly shewed, and the confessions  
 “ of Mourton's own mouth, who was for that cause  
 “ advanced unto honour; against whom, if I had  
 “ dealt by course of law, and thou hadst not given  
 “ aid unto the rebels, they could never have stood  
 “ out so long against me and my friends.

“ While I was detained in prison in Lochlevin,  
 “ Nicholas Throgmorton persuaded me, in thy  
 “ name, by sealing letters-patents, to resign my  
 “ kingdom, (which he affirmed would be void,  
 “ and indeed all the world accounted it void) un-  
 “ til thou, by thy favour, countenance and forces,  
 “ didst give aid unto the beginners and procurers  
 “ of these letters-patents. And tell me, in good  
 “ faith, whether thou dost acknowledge thy sub-  
 “ jects to have any such authority over thee? And  
 “ yet from thenceforth was my royal authority  
 “ taken away from me by thy counsel and help;  
 “ and my kingdom transferred unto my son, un-  
 “ capable thereof by reason of his tender years.  
 “ And when I was, not long since, determined,  
 “ to confirm the kingdom unto him in a lawful  
 “ manner, he was taken away by force, by divers  
 “ traitors, who questionless have an intent to de-  
 “ prive him of his kingdom, as they did me, if  
 “ not to take away his life also.

“ After I escaped out of Lochlevin, and was  
 “ now ready to fight and encounter with the re-  
 “ bels, I implored thy aid, sending back that

“ diamond which before time I had received from  
 “ thee, as a token and pledge of thy love, with a  
 “ large promise of aid against the rebels; not  
 “ once nor twice also giving thy fidelity, that if I  
 “ retired and came myself unto thee for succour,  
 “ thou wouldest come in person to the borders and  
 “ give me aid. And I, trusting upon thy pro-  
 “ mise, freely offered myself, though thy servants  
 “ had oftentimes deceived me, resolved to flee for  
 “ help unto thee, as to my last assured anchor, in  
 “ my adversity; and so had I done, if the way had  
 “ been as open and easy for me, as it was for them  
 “ that rebelled against me. But, before I could  
 “ come unto thee, I was intercepted, guarded  
 “ with keepers, shut up in strong places, and,  
 “ from that time until this, endured evils more  
 “ grievous than death.

“ I know thou wilt object against me, the  
 “ dealings that were betwixt the duke of Norfolk  
 “ and me; yet I do still deny, that they were any  
 “ wrong or hurt to thee, or to thy realm; for  
 “ they were allowed by the chief counsellors of the  
 “ realm of England, and confirmed with their  
 “ subscriptions; who also promised assuredly to  
 “ obtain thy consent. And how, I pray you,  
 “ could such great men promise, thy consent unto  
 “ that should deprive thee of thy life, honour,  
 “ and diadem? But yet thou wilt have all men to  
 “ believe this.

“ But, when many of these rebels did desist,  
 “ though late, and saw more plainly, by the con-  
 “ ference at York, between our commissioners,  
 “ how unjustly they dealt with me. They were  
 “ forthwith besieged by thy forces in the castle of  
 “ Edinburgh; and, of the principal men, one  
 “ (Lidington) was poisoned: and the other  
 “ (Grange), in lamentable manner hanged. And  
 “ this

“ this, after that by thy request, I had caused  
 “ them once or twice to lay down their arms up-  
 “ on a hope of peace, which God knoweth whether  
 “ my adversaries ever imagined to keep.

“ From that time I was resolved to try whether  
 “ I could mollify rigor by patience, in suffering  
 “ whatsoever they imposed on me a prisoner; yet  
 “ I was utterly barred from all conference with  
 “ my son by letters or messengers, for this whole  
 “ year past, that the son might be disjoined by this  
 “ most lamentable disjunction from the mother, if  
 “ it might be.

“ I have oftentimes set down and proposed con-  
 “ ditions of a peace and concord to be made be-  
 “ tween us, as at Chatifworth eleven years since,  
 “ with the commissioners, and with thyself by the  
 “ ambassadors of the most Christian king, and by  
 “ mine own. I dealt also sincerely with Beale, the  
 “ last winter; but those conditions were always  
 “ rejected, and delays made and interposed, my  
 “ wholesome advices and counsels were suspected,  
 “ and all the motions of my sincere mind con-  
 “ demned and disallowed. Neither did I reap  
 “ any other fruit of my long-lasting patience,  
 “ than, that it grew to a settled custom for me to  
 “ be more rigorously used every day than other;  
 “ not as a prisoner, but even as a kitchen-maid.  
 “ Assuredly, I cannot endure these things any  
 “ longer, and, hap what hap, will, if I die, I will  
 “ make the procurers and causers of my death to  
 “ be known; but, if I live, I shall find means, I  
 “ hope, that all these wicked attempts and slander-  
 “ ous calumniation against me, shall die, that I  
 “ may spend the rest of my life in more tran-  
 “ quility.

“ Wherefore, to take away all displeasure and  
 “ hatred between us, let the testimonies of the  
 “ Spaniards, who were lately taken in Ireland, be

“ shewed ; let the examination of the jesuits be  
 “ produced ; let any body have liberty to accuse  
 “ me publicly ; yet so that, in like manner, I may  
 “ have liberty to defend myself, and that I be not  
 “ condemned unheard. Malefactors, and persons  
 “ of the basest sort and condition, are admitted to  
 “ speak and defend themselves, and their accusers  
 “ are brought before their face. Why am not I so  
 “ used and dealt withall, who am a queen an-  
 “ nointed, and thy next cousin, and the lawful heir  
 “ of the crown after thee ?

“ But this last thing is the matter which chiefly  
 “ vexeth and stingeth my adversaries, which study  
 “ to keep us still enemies and at contention. Alas,  
 “ there is no cause why this should vex them. I  
 “ take God to witness, and upon mine honour, I  
 “ have thought of no other kingdom this long  
 “ time, but only the celestial kingdom. Yet thou  
 “ art bound in conscience, and tied, both by duty  
 “ and justice, not to trouble or cross the most as-  
 “ sured right of my son after my death, nor to  
 “ further their secret combinations who, as well  
 “ in England as in Scotland, do apply all their wit  
 “ and power to work the destruction of me and my  
 “ son ; which is evident and apparent by the in-  
 “ structions of thy messengers in Scotland, who  
 “ used and behaved themselves most seditiously,  
 “ doubtless without thy knowledge, but I hunting-  
 “ don being wonderful eager and diligent therein.

“ Is this just and right, that I, a mother, shall  
 “ be forbidden, not only to give counsel and ad-  
 “ vice to my oppressed son, but also to understand  
 “ in what distressed estate he is ? If they had been  
 “ sent for my son’s good, perhaps if they had  
 “ taken mine advice with them, they should have  
 “ been, for that cause, the more welcome unto him.  
 “ Verily thou hadst tied and bound me unto thee  
 “ more

“ more strictly, and thou hadst no cause so much  
 “ to conceal their going thither, or to take away,  
 “ at that very time, from me all my liberty. Yet,  
 “ that I may speak freely, I desire thee not to use  
 “ such agents any more in the Scottish affairs:  
 “ for, although I believe that Cary (Hunsdon)  
 “ will not do, or take any thing in hand, which  
 “ may be a blemish to himself or his honour, yet I  
 “ cannot hope of any good to come from Hun-  
 “ tingdon, for his evil deserts towards me.

“ Therefore I earnestly request thee, by the  
 “ most near alliance of blood that is between us,  
 “ that thou wouldst seriously have regard to the  
 “ safety of my son, and not to intermeddle any more  
 “ with the affairs of Scotland, without the privity  
 “ of me or the French king; and, that thou  
 “ wouldst account them who, by force, keep my  
 “ son in prison, and compel him to do what they  
 “ list, none other but traitors.

“ Moreover, I heartily request thee, by the  
 “ cross and passion of Christ our redeemer, that I,  
 “ being, upon honest and reasonable conditions,  
 “ restored to liberty, may somewhat recomfort  
 “ my languishing body, for the small time of my  
 “ life that remaineth, in some place out of Eng-  
 “ land, after this long-lasting and loathsome im-  
 “ prisonment. In so doing, thou shalt ever bind  
 “ me and my friends, and especially my son, unto  
 “ thee. Which I will never cease, with importu-  
 “ nate request, to demand at thy hands, until thou  
 “ dost yield and consent thereunto.

“ My body diseased, and subject to infirmity,  
 “ compelleth me to be so earnest. I pray thee,  
 “ therefore, cause me to be used with more huma-  
 “ nity, otherwise I cannot endure it, I tell thee in  
 “ plain terms: and posit me not over to be used at  
 “ the pleasure of any other, but at thy disposition.

" Whatsoever good or evil things happen unto me  
 " hereafter, I will attribute and ascribe it only to  
 " thyself. Shew me this favour, that I may under-  
 " stand thy pleasure from thyself by a letter, be it  
 " never so short, or by the French ambassador.

" I cannot be satisfied in those things which  
 " Shrewsbury doth signify unto me, forasmuch as  
 " they may every day be altered. When I wrote  
 " very lately unto thy counsellors, thou didst com-  
 " mand that I should acquaint thee only with my  
 " affairs (but it was not just to give them so great  
 " authority to afflict and vex me) yet I cannot  
 " but fear, that many of them that be my deadly  
 " adversaries, have procured this, lest the rest,  
 " after they shall have heard my most just com-  
 " plaint, should oppose themselves, as well in re-  
 " spect of thy honour, as of their duty to thee.

" Now reflecteth my most instant and important  
 " suit, that I, thinking only of the life to come,  
 " may have some reverend catholic priest, to direct  
 " me in my religion, for the salvation of my soul.  
 " This last office is not to be denied unto poor  
 " wretches of the basest and meanest estate. Thou  
 " dost permit unto the ambassadors of foreign  
 " princes the exercise of their religion, and I vo-  
 " luntarily permitted it to my subjects that were of  
 " a contrary religion. If this be denied unto me,  
 " I hope I shall be excused before God; but I fear  
 " mine adversaries shall not escape without pu-  
 " nishment. Assuredly it will be a president unto  
 " other princes of Christendom, to shew the like  
 " severity against their subjects that be in religion  
 " contrary unto them, if this severity be used to-  
 " wards me, a free and absolute prince, and thy  
 " nearest cousin; for so I am, and will be so to  
 " thee whilst I live, in spite of mine adversaries,  
 " let them stomach it ever so much. I desire not  
 " to

“ to have my family increased, but I request to  
 “ have only two maids, which are necessary and  
 “ needful to me in this my weakness and sickness  
 “ of body. And let not my adversaries fulfil their  
 “ cruel minds altogether against me, in barring  
 “ me of so small a courtesy.

“ Whereas I am secretly accused by Shrewsbury  
 “ that I have privily, and without thy know-  
 “ ledge, practised to transfer my right in Scotland  
 “ unto my son, contrary to my promise made unto  
 “ Beale: I desire thee not to give credit unto the  
 “ suggestions of Beale; I promised nothing but  
 “ under certain conditions, to which I am not  
 “ bound, except they be performed by thee.  
 “ From that time hitherto I have received no an-  
 “ swer; and there is not a word spoken of them;  
 “ but yet the practices in Scotland to destroy me  
 “ and my son have not ceased.

“ That long-lasting silence I cannot interpret to  
 “ be any other thing but a plain repulse and de-  
 “ nial; and so I signified by my letters to thee, and  
 “ to thy counsellors. Those things which the  
 “ French king and his mother imparted unto me,  
 “ I also sincerely imparted unto thee, and asked thy  
 “ advice in them; but I heard not a word from  
 “ thee again. I never had so much as a thought  
 “ to submit myself unto thy counsel about mine  
 “ affairs and my country, before I knew what it  
 “ should be; for it might seem a meer folly so  
 “ to do.

“ How my adversaries in Scotland do triumph  
 “ over me and my imprisoned son, thou art not  
 “ ignorant; I attempted nothing there that may  
 “ be hurtful unto me, but only to procure a firm  
 “ peace in that kingdom, which is more to be re-  
 “ spected by me than by thy counsellors: foras-  
 “ much as I have more interest therein than they.

“ I ear-



“ I earnestly, and from my heart, desired to be-  
 “ stow, and confirm unto my son the title of a  
 “ king, and therewithall to bury in the earth all  
 “ discords and dissentions. Is not this to pull the  
 “ diadem from my son’s head? But, indeed,  
 “ mine adversaries would not have it confirmed  
 “ unto my family. This is the thing they envy,  
 “ when their conscience beareth witness against  
 “ them; and, being guilty of evil, they fear mis-  
 “ chief will befall them.

“ Let not these, and other, mine adversaries,  
 “ so blind thine eyes, and in thy life and sight  
 “ procure the death of thy next kindred, and bring  
 “ to confusion both the crowns; for to that intent  
 “ do they invent mischief against me, against my  
 “ son, and perhaps thyself also. Can it be any  
 “ good or honour unto thee, that I and my son  
 “ should be secluded by their means and practices,  
 “ and we two between ourselves so long?  
 “ Remember thy inbred lenity; bind thyself unto  
 “ thyself; and being, as thou art, a princess, by  
 “ thy placability mollify thy mind, and abandon  
 “ all displeasure and hatred towards me a princess,  
 “ thy nearest cousin, and one that loveth thee most  
 “ dearly; that all our affairs being lovingly com-  
 “ pounded between us, I may depart out of this  
 “ life, and the sobs and sighs of my distressed soul  
 “ may not penetrate unto God; unto whose hea-  
 “ venly majesty I offer my continual prayers, that  
 “ my just complaints and dolorous lamentations  
 “ may now at last find way unto thee.

“ From Sheffield, the eight day of Novem-  
 “ ber, 1582.

“ Vestre tresdésoléé plus proche parente & af-  
 “ fectiōate seure,

“ MARIE R.”

With these letters queen Elizabeth was greatly moved and disquieted, and sent to the queen of Scotland Robert Beale, one of the clerks of the council, a rude impolite man, to expostulate with her for her letters of complaint, and to treat of her deliverance jointly with the earl of Shrewsbury; forasmuch as she had of late, in other letters, requested queen Elizabeth, that she might, after this time, upon security to be given to queen Elizabeth, enjoy her liberty, and be joined with her son in the government of Scotland.

This subject was seriously deliberated upon by the council of England, and most of them were willing that she should be delivered upon these conditions : namely,

1. THAT she and her son should promise to practise nothing hurtful to queen Elizabeth and the realm of England.

2. That she should voluntarily confess, that whatsoever was done by Francis II. the French king, her husband, against queen Elizabeth, was done against her will; and, that she should utterly disallow the same as unjust, by confirming the treaty of Edinburgh.

3. That she should condemn all the practices ever since that time, and ingenuously renounce them.

4. She should bind herself not to practise any thing, directly or indirectly, against the realm of England, in ecclesiastical or civil affairs; but, by all manner of means, oppose herself and resist such practisers as public enemies.

5. That she shall challenge, or claim, no right unto herself in the kingdom of England, during the life of queen Elizabeth; and, that afterward she

she will submit her right of succession unto the states of England.

6. And, to the end she may not hereafter use any cavil, and say, That she condescended to these conditions, being a prisoner and by coercion, she herself should not only swear unto them, but also procure the states of Scotland to confirm them by public authority.

7. The king himself also should ratify them by oath and by writing.

8. And that hostages should be given.

As for sharing with her son the administration of affairs, it was thought fit that the queen of England should not interpose herself; but this they referred to the king, and the states of Scotland. But, if they were assisted in the government, that they should treat about the league with them jointly, if not, with each separately.

These things were consulted of, but without success; for the Scots of the English faction, utterly rejected them, exclaiming loudly, that many Scots, inveterate enemies to the English nation, were called out of France by the counsel of the queen of Scotland: and that Holt, an English Jesuit, was sent secretly into Scotland, to prepare for invading England.

The French ambassadors, who went into Scotland, not obtaining what they came for, departed; whereupon the noblemen that had surprized the king, were greatly elated, and still more, because Lenox died at the time, which increased their security; however, the king, contrary to their expectation, disdaining to be under the government of three earls, recovered his liberty, and went to the castle of St. Andrews; and, with good words,  
requested

requested many of the surprizers to depart from the court, to avoid any stir, and promised them pardon, if they would ask it within a certain time, which was done by Gowry alone : he likewise recalled Arran to court ; but they were so far from doing that, that they secretly practised to take him suddenly again. Hereupon they were commanded to quit the realm on a day appointed ; Mar, Glamis, the commendators of Dryburg, and Paslet, and others, went to Ireland, Boyd, Zester-Weim, and Lochlevin went into the Low-Countries, and Dunfermellin went to France ; Angus was confined in Angus ; only Gowry, having a new plot in his head, tarried after the time prefixed, to his own destruction.

And then, the king, to shew himself a prince, began to exercise his regal authority. And, whereas these conspirators, in an assembly called, by their own private authority, had enacted and recorded : that this surprize of the king was just ; he, on the other hand declared, in a great assembly of the states, that it was traiterous ; although the ministers, as if they were the supreme judges in the realm, in a synod called by their own authority, pronounced it to be just, and judged all them that did not approve and allow the same, worthy of excommunication.

In the beginning of the Spring, some of the Scots returned from Ireland, upon an agreement made between them and Gowry, who had conspired again with several, to take the king a second time ; professing, that they had nothing in view but the glory of God, the truth of religion, the security of the king and realm, and the friendship of England, against them who, by sinister means, as they gave out, abused the king, not yet come to sufficient age. But the king, hearing  
of

of their design, sent colonel Stewart to apprehend Gowry, who lay at the haven of Dondee, as if he was preparing to go out of the kingdom; and, after he had defended himself an hour or two in his house, he was taken and carried into prison.

In the mean time, the other conspirators took Sterling by surprize, and the castle was surrendered to them; but soon after they quitted both, because the king displayed his banners, as ready to engage, and their hope of assistance from the English failed them, and so Mar, Glamis, and Angus, who were come to them, and others fled into England, humbly beseeching the queen to relieve their necessities, and to intercede with the king for them; since they had lost all their fortunes and the king's favour, for shewing their love to her and England, she thought it advisable to shew them some favour, that they might be opposed to the adverse faction in Scotland; and the rather, because the ministers spread a report, that the king was upon the point of forsaking his religion, upon no other ground, but because he, through a filial piety, inclined to his mother, and received into his special favour and grace, those whom he knew to be most devoted to her.

In the mean time Gowry was arraigned before his peers at Sterling, upon these points: That he intended and began a new conspiracy against the king, whom he had also kept prisoner in his house before: that he consulted by night, with the servants of Angus, to seize upon Perth and Sterling: that he had resisted the king's authority at Dundee: had formed a conspiracy against the life of the king and his mother. Lastly, that he had asked advice of Maclina the witch; and, being found guilty by his peers, he was in the evening beheaded;

ed ; but his servants fowing the head to the body, buried it without delay.

About the same time were some practices in England, but with no success, in behalf of the queen of Scotland ; the chief of which was that of Francis Throgmorton, eldest son to John Throgmorton, justice of Chester, who fell under suspicion on account of his letters to the queen of Scotland, which were intercepted.

As soon as he was taken, and began to make some confessions, Thomas, lord Paget, and Charles Arundel, a courtier, immediately fled the kingdom, and went to France, and with other papists, lamenting their misfortunes among themselves, complained, that the queen, by the wicked and crafty dealings of Leicester and Walsingham, was alienated from them : that they were abused and loaded with reproaches : that strange kinds of subtilty were invented against them : that secret snares were so cunningly laid, that whether they would or no, they should be brought within the compass of treason ; and that they had no hope of safety at home. And, to say the truth, very crafty devices were used to sound men's minds ; counterfeit letters under the names of the queen of Scotland, and the fugitives privately sent and left in the houses of papists, spies dispersed in every place, to hearken to reports, and to take advantage of words : slanderers, whatsoever information they brought, were received and entertained ; many were examined upon suspicion ; and, amongst them, Henry, earl of Northumberland, and his son Philip, earl of Arundel, commanded to keep his house, and his wife delivered into the keeping of Thomas Sherley ; William Howard, brother to the earl, and Henry Howard, their uncle, brother to the duke of Norfolk, often examined

examined concerning letters from the queen of Scotland, from Charles Paget, &c. who escaped very narrowly for all his prudence and innocence.

The lord Paget, and Charles Arundel being arrived in France, were watched and observed by Edward Stafford, the queen's ambassador at the court of France; but yet he could not discover their purposes and practices. Yet he dealt with the French king, that they, Morgan, and other Englishmen, who plotted against their prince and country, might be removed from France.

He was answered, "If they practised any thing in France, that the king would punish them according to the law; that the king could not take cognizance of any thing they had plotted in England. That all kingdoms are open to them that fly thither for succour, that it is incumbent upon all kings, every one to defend and maintain the liberties of his kingdom; and that queen Elizabeth, not long since, had received into her kingdom, Montgomery, the prince of Condé, and other Frenchmen; and that, at that very time, the ambassador of the king of Navarre, who was engaged in some plots resolved in England."

About the time that these things were done, Bernardino de Mendoza, ambassador for the king of Spain in England, passed in great secrecy into France, fretting and fuming as if he had been driven violently out of England, and the right of an ambassador thereby violated, when he himself, being a man of a violent and turbulent spirit, making the sacred right of an embassy subservient to treason, was to be pursued, as many were of opinion, with the ancient severity, with fire and sword, and commanded to quit the kingdom;

dom; for he was accessary to the wicked plots of Throgmorton and others, to bring in foreign power into England, and to dispossess the queen. And, when he was mildly reprov'd for those things, he was so far from wiping the objections away with a modest answer, that he, in his turn, upbraided the queen and her counsellors with their detention of the money of the Genoese, with the succours given to the states of the Netherlands, the duke of Anjou, and don Antonio, the Portugal, and with the piracies and depredations of Drake.

But, lest the king of Spain, in taking this revenge upon Mendoza, should think the right of an ambassador violated, William Wade, clerk of the council, was sent into Spain, fully to inform him how badly he had discharged the office of an ambassador, and, at the same time, to signify (lest the queen, in sending him away, might be thought to renounce the friendship of Spain) that all kind and friendly offices should be done on her part, if he sent any other as his ambassador, who was desirous and willing to maintain the friendship between them, upon condition, that the same favour might be shewn to her ambassador in Spain. But, when the king of Spain would not vouchsafe to admit Wade into his presence, but referred him to his counsellors; he highly resenting this, declared openly, that it was a most usual and received custom, that ambassadors should be admitted to the presence of princes, even by their enemies, and in the time of the most dangerous wars: and, that Charles V, the emperor, father to the king of Spain, admitted to his presence the herald, who, from the French king, denounced war against him, and, in plain terms, refused the counsellors with his errand. And, when Idiâques, secretary



to the king of Spain, could by no policy get out of him what his message was; at last, he received a full information of the whole from Mendoza, who lurked secretly in France.

Then he, laying aside his public character, in a familiar way, signified to Wade, that he was very sorry that there were some, who underhand laboured to break the amity, and to foment discord between the princes, that the injury was done to the catholic king himself, not to his ambassadors, first, to Despes, and now to Mendoza; and that there was no reason why he should accuse Mendoza any farther to the king, and, he was sufficiently disgraced, by being ignominiously turned out of England, or complain, that he was not admitted. And, that the catholic king did but retaliate, since Mendoza had been dismissed without audience; and, as she had referred Mendoza to her counsellors, so the king in like manner, referred him to the cardinal Granvellan.

When Ward answered, that there was a great difference between him who had never offended the catholic king, and Mendoza, who had offended grievously against the queen for a long time, not vouchsafing to come near her, and having committed things unfitting an ambassador; yet he could not be admitted; and not being heard, he returned home.

Most of the crimes which he was to object against Mendoza, were taken out of the confession of Throgmorton; who, being ready to be apprehended, had secretly sent a desk, wherein his secrets lay, to Mendoza. His other desk being narrowly searched, there were found two rolls or lists; in one of the which were the names of the havens of England, which were fit to land forces; in the other, the names of the noblemen and gentlemen  
of

of England who professed the Roman Catholic religion, were set down.

As soon as he saw them brought out, and shewn to him, he cried out several times, that he never saw them before; and that they were foisted in to work his destruction; and this even when he was examined upon the rack: but, laid again upon the rack, he did not refuse to answer to their interrogatories.

Being asked about those rolls or catalogues, and for what purpose they were written, he made this historical narration: "That he, a few years since, "going to the waters at the Spaw, did consult and "devise with Jenny and Francis Inglefield, how "England might be invaded, and the form of "government thereof altered and changed, and "upon that reason, that he set down the names "of the havens and of the noblemen.

"That Morgan, by his letters, had signified "unto him out of France, that the Catholic "princes had now consulted and determined, that "England, should be invaded, and the queen of "Scotland delivered under the conduct of Guise "as general, who wanted nothing but money "and some bands of men in England to join with "him to his help.

"To procure these things, that Charles Paget, "under the counterfeit name of Mope, was sent "secretly into Suffex, where the duke of Guise "determined to land his army.

"That he acquainted Mendoza, who had notice and knowledge of these things already by "the conspirators, with the matter, and told him "the names of the havens and noblemen. Neither did he denie, that he promised his furtherance, and withal, to have admonished Mendoza "with what noblemen, he being a public person,

“ should treat of this matter, which he, being a  
 “ private man, could not do without great dan-  
 “ ger: and that he shewed a way to him how  
 “ some principal catholics, as soon as the foreign  
 “ forces were landed, might levy soldiers in the  
 “ queen’s name, and then to join them to the fo-  
 “ reign forces.”

These things he voluntarily confessed; yet, at the bar in Guildhall, being accused of these things, he positively denied every one of them, and affirmed, that they were mere inventions, to avoid the torment of the rack; and openly accused the queen of cruelty, and the examiners of falsehood, endeavouring to save himself, by alledging the space of time, which was between the fault committed and the judgment.

Forasmuch, as in the thirteenth year of queen Elizabeth, certain things were made treasons; for the which none should be arraigned, except the delinquent were indicted within six months after the fault committed; and the crime was proved by the testimony and oath of two men, or by the voluntary confession of the offender, without violence; and that this time was expired long since; and that therefore he was not to be arraigned for the same.

But the judges told him, that the crimes objected to him, were not of that kind, but that he was obnoxious to the law, by an ancient law of treason made in the time of king Edward III, which admitteth no circumscription of time or proof; and that, by that law, the sentence of death was pronounced against him.

Being afterwards persuaded, he threw himself upon the clemency of the queen, and again confessed, in a writing more fully, all things which  
 he

he had said before; he would, however, have retracted a second time at the gallows, but in vain.

Mr. Wade, being returned from Spain, was sent to the queen of Scotland, about a treaty in agitation between her and sir Walter Mildmay, which was proposed two years since, and interrupted, as was said before: she boasted to Wade, with great protestations, with what sincerity she had dealt about this treaty, and withall devoted herself, and all her labour, to the queen, and promised to depend wholly on her, if only she would vouchsafe her so much love and honour.

Moreover, she firmly promised, that, if the treaty was concluded, she would endeavour to prevail on her son to take Angus, and the other Scotch noblemen into favour; and, also, that the bishops of Ross and Glasgow, her agents and ministers in France, should not plot any thing against the queen and kingdom of England, and that she would have nothing to do with the rebels or fugitives of England.

Queen Elizabeth was glad to receive this intelligence; and, whereas that Angus, Mar, J. Hamilton and Glamys were fled into England; and, making use of the opportunity offered, sent Beale to the queen of Scotland, who, together with the earl of Shrewsbury, were to represent to her, that if she continued in the same mind with which she had acquainted master Wade, that Mildmay should come to her directly, and treat with her about her liberty, and should, at the same time, endeavour to persuade her to intreat her son the king to restore the Scotch fugitives; and to tell her that they had committed no fault against the king, but against some violent counsellors, who gave him bad counsel: and, lastly, that as they

should do their utmost to get out of her the practices of the Guises.

She being a wise woman, answered, " That she much desired that the treaty might go forward ; and that she requested earnestly of queen Elizabeth as of her eldest siller, unto whom she gave all honour.

" That she had propounded nothing unto Mr. Wade, but upon condition ; and that he, whom she thought to be an honest man, would say otherwise.

" For the restoring of the Scots, that her labour therein would be very necessary, and should not be wanting, if she certainly knew any good would redound to herself and her son ; so that they would humbly submit themselves unto the king, and be obedient unto him ; but, if that were not done, that then the queen should give aid unto her son, that they might be reduced to their obedience. Moreover, she did not cloak nor hide it : that she, when she was sickly, committed herself and her son unto the care and trust of the Guise, her most dear cousin ; of whose purposes or intents she knew nothing, neither would she discover them, if she knew them, unless a firm assurance were given her of her liberty ; for, that it was the part of an unadvised person to forsake her assured friends for an uncertain hope.

" She requested, that she, being an absolute prince, might be no more dishonourably used, than Queen Mary did some time deal with herself, being at that time her subject, and imprisoned ; or, than the French king did use the king of Navarre, being also his subject, and bore arms against him.

" She

“ She also requested, that the treaty might be brought to an end before any in Scotland were sent embassador about that matter. And, for that the French king had acknowledged her ordinary embassador, and Seton sent by her son to France, as embassadors from princes of the same authority, and conjoined, she gave that honour to the queen, to publish this association of her and her son in Scotland, and besought her not to prejudicate the same.”

These things were heard, but by terrors objected; shifted off and frustrated by those means, who knew how to nourish the hatred between the women, who bore no inward good-will to each other, especially by the discovery of the papers, which Chreycton, a Scotch jesuit, sailing into Scotland, and intercepted by some sea rovers of Holland, tore in pieces; but the torn papers cast out of the ship, were cast again into the ship by a contrary wind, not without a miracle, as Chreycton himself said, and glewed together by the great labour and extraordinary skill of Wade; these discovered new plots of the pope, of the king of Spain, and of the Guises, about the invading of England.

Therefore, to defeat the wicked counsels and secret policies of seditious persons, and to provide for the queen's safety, upon which both the kingdom and religion depended. Many men, Leicester setting the first example, of all conditions in England, out of common charity, bound themselves in a certain association, with their mutual oaths, subscriptions, and seals, to exert themselves to their utmost against all who attempted any thing against the queen.

The queen of Scotland, who readily understood that this was levell'd at her, weary of her

long misery, and fearing worse things, proposed these things to the queen and her counsellors, by Navus her secretary.

“ If her liberty might be granted, and that she might be assured of the sincere mind and love of queen Elizabeth, that she would bind herself in a most strict league of amity with the queen, most dutifully honour and observe her before all other Christian princes, forget all offences past, acknowledge her the true and most rightful queen of England; and that she would not challenge, during her life, any right unto the crown of England, nor practise any thing against her, directly or indirectly: and utterly to renounce the title and arms of England, which she had used by the commandment of Francis her husband; and also unto the bull of the pope, about her deposition and deprivation: yea, and also enter into that association, for the security of the queen; and into a defensive league (saving the ancient league between France and Scotland) yet so, that nothing be done in the life of the queen, or after her death, which may be hurtful unto her son, and their heirs in succession, before they be heard in the assembly of the states of England.

“ For more assurance of these things, that she will remain as an hostage in England; and, if she may have leave to depart out of England, that she will give pledges.

“ Moreover, that she will alter nothing in Scotland, so that the exercise of her religion be permitted only to her and her family.

“ That she will for ever forget all the wrongs done her in Scotland, (but yet under that condition, that the things published to her prejudice may be repealed.)

“ That

“ That she will commend unto the king coun-  
 “ fellows which were desirous to keep peace with  
 “ England; and would reconcile unto him as much  
 “ as lay in her the noblemen that were fled into  
 “ England, if they would humbly acknowledge  
 “ their fault; and, that the queen gave her word  
 “ to give aid unto the king against them, if at any  
 “ time they fell, or departed from their obedi-  
 “ ence.

“ That she would do nothing about her son’s  
 “ marriage without the privy of the queen;  
 “ and that she would not do any thing without  
 “ the privy of her son: so she requested, that  
 “ her son might be joined in this treaty, whereby  
 “ it might be made more strong.

“ She doubted not, but that the king of France  
 “ would be contented, and bind himself by pro-  
 “ mise, together with the princes of the house of  
 “ Lorrain, for the performance of these agree-  
 “ ments.”

She also desired that these things might be an-  
 swered with speed, lest any thing might happen  
 in the mean while to hinder it.

Lastly, she earnestly desired that she might be  
 favoured with more liberty, that thereby the love  
 of the queen might appear more evidently to her.

As these things seemed highly honourable to  
 her, queen Elizabeth appeared to rejoice; and it  
 was then thought she was inclined to deliver her,  
 although there were some in England who, setting  
 new fears before her eyes, dissuaded her from it.  
 But the matter being well pursued, and in a man-  
 ner concluded, was most of all obstructed by the  
 Scots of the opposite faction, who exclaimed, that  
 queen Elizabeth was utterly undone, if she were  
 delivered out of prison; and both the realms  
 would be undone, if she were joined with her son  
 in



in the kingdom of Scotland, and if the exercise of the Roman religion were permitted to her, even in her court.

And some of the ministers in Scotland, from their pulpits, and in their meetings, railed bitterly at their queen : they spoke ill of the king and his counsellors ; and, being commanded to appear in person, obstinately and contemptuously refused to do so, as if the pulpits were exempted from the king's authority, and ecclesiastical persons not subject to the king, but to the presbytery ; directly against the laws made this year in the assembly of the states ; in the which, the king's authority over all persons, both ecclesiastics and the laity, was confirmed for ever : viz. That the king and his counsellors are competent judges in all causes ; and they who refuse to obey the same, are to be accounted traitors.

The assemblies of presbyteries, as also those of the laity, as well general as particular, were prohibited, as having arrogated, without the king's privity, boundless authority, meeting together when they thought proper, and prescribing laws to the king and to all the realm. And also the popular equality of ministers was abrogated, and their dignity and jurisdiction restored to the bishops, whose vocation the presbyteries had condemned as antechristian. And the infamous writings against the king, his mother, and counsellors, were prohibited ; and, in particular, the history of George Buchanan, and his dialogue, "*De jure regni apud Scotos*," containing many things which should be buried in eternal oblivion.

Many censured Patrick Grey, the Scotch ambassador in England, as if he, won by bribes, had uttered many things to the prejudice of the king  
and

and his mother, and had prevented these most equitable conditions proposed by the king's mother, and sent by Navus, from being admitted.

Upon this, queen Mary losing all patience, fell into a great sorrow and indignation, and so strong was her desire of liberty, that she listened to the treacherous advice of her enemies, as to the pernicious devices of her friends: and so much the more, because she was persuaded, that the association was made to endanger her life; she likewise had received some intimation, that, by the policy of some men, she was to be taken away from the keeping of the earl of Shrewsbury, who being an upright man, did not favour their plots) and to be committed to new keepers. And, that it might be done with a better colour, and the credit of the earl of Shrewsbury, which was approved and well known, might not seem to be suspected; for it was not thought advisable to call in question the reputation of so great a man; suspicions were laid hold on, as if the plot of procuring her liberty had been begun, and these were founded upon certain emblems sent to her.

Those were, Argus with many eyes, lulled asleep by Mercury playing tunes on his pipe, with this little sentence, "*Eloquium tot lumina clausit.*" Another was Mercury striking off the head of Argus, who watched Io. A graft or cyon, engrafted on a stock, and bound with bands, yet flowering; with this inscription under it, "*Per vincula cresco.*" Another was a palm-tree much laden, but rising again with these words, "*Ponderibus virtus innata resistit.*"

There was also an anagram, "*Veritas armata,*" out of her name, "*Maria Stuarta;*" the letters being transposed, upon which a very bad interpretation was put.

More-

Moreover, there were letters shewn, as if they had been intercepted, in which the friends of the queen complained, that their cause was hopeless if she was put into the custody of the puritans. Under this colour, she was taken from Shrewsbury, and committed to the custody of Amias Pawlet and Drewgh Drury; and that on purpose, as some think, that, being driven to despair, she might be more ready to take rash counsels, and more easily ensnared. For Shrewsbury, in all that fifteen years had kept her with so much caution, that there was no place left for plots from her or against her.

And now she dealt more earnestly with the pope and the king of Spain, by Francis Inglefield, to hasten what was begun, and that with all expedition, whatsoever became of her. And Leicester, who was thought to study how to deprive the right owner of the succession, secretly sent ruffians, as many said, to murder her. But Drury, an honest minded and upright man, detested the wickedness from his heart, and did not suffer them to have any access to her. Yet some spies secretly crept in, and there were sent many, as well counterfeited as true, letters; by which her womanish weakness might be spurred on to her destruction; as will hereafter appear.

And, in order to alienate Elizabeth entirely from her, it was whispered in her ears, that Allan, for the catholic's ecclesiastics of England, and Inglefield for the laity, and the bishop of Ross for the queen of Scotland, with common consent, and with the consent of the pope and the king of Spain, had decreed that queen Elizabeth was to be deposed from her crown, and the king of Scotland was to be disinherited of the kingdom of England, as manifest and incorrigible heretics; the queen of Scotland to be married to some catholic

tholic nobleman of England, he to be chosen king of England by the English catholics, and the election to be confirmed by the pope: the lawful children of this man, by the queen of Scotland, to be declared successors to the kingdom: and all these things upon the credit of Hart, a priest: But who this Englishman should be, Walsingham made diligent enquiry, and yet he could not discover who he was. However, the suspicion fell upon Henry Howard, brother to the duke of Norfolk, who was of the chief nobility, a single man, and an earnest Roman catholic, and amongst them of great reputation and account.

In a parliament held in the beginning of the year 1585, many laws were made against papists, with the severity of which they were terrified; and amongst them Philip Howard earl of Arundel, eldest son to the duke of Norfolk, insomuch that he determined to quit the kingdom, lest he should offend against them.

This man, by the queen's favour, was restored in blood three years before this time, and a little after he forfeited her good opinion, by the secret insinuation of some great courtiers, that he had secretly reconciled himself to the Roman religion, and led a very austere life. Hereupon he was once or twice called before the council, and cleared himself of all that was laid to his charge; but yet he was commanded to keep his house. After six months he was discharged, and came to the parliament; yet the first day, when the sermon was preached, he stole secretly out of the company.

The parliament being ended, he being resolved to quit the kingdom, in his letters written to the queen, which he commanded to be delivered after he was gone over, made a long and grievous complaint

complaint of the envy of his mighty adversaries, unto which he was forced to yield, forasmuch as they triumphed over his innocency; he repeated the unfortunate deaths of his ancestors; that is to say, of his great-grandfather, who was condemned and never called to trial; of his grandfather, who was beheaded for trifling matters; and of his father, who, as he affirmed, was circumvented by his enemies, and who never carried any evil mind toward his prince or country: but, that he, lest he should run into the same hard fortune his father had, forsook his country (that he might spend his time in the service of God, and in the works tending to the salvation of his soul) but not his loyalty and fidelity toward his prince.

Before these letters were delivered, he went into Suffex, and, being ready to take ship in an obscure creek, was taken and apprehended by the treachery of his servants, and discovery of the master of the ship, and committed to the Tower of London.

At that time there was prisoner in the same place Henry Piercy, earl of Northumberland; a man of a lively spirit and great courage, brother of Thomas, beheaded at York, suspected to be privy to the plot of Throgmorton, the lord Paget, and the Guises, for invading England and delivering the queen of Scotland, to whom he had always borne a great love and affection.

In the month of June he was found dead in his bed, shot through with three bullets about the left pap, the doors being bolted on the inside. The coroner's inquest, viewing the body, considering the place, having found the pistol with the gunpowder in the chamber, his man who bought the pistol, and the seller thereof, being examined, gave their verdict, that the earl had killed himself.

The

The third day after, the noblemen of the kingdom came in great numbers and met in the Star-chamber, where Thomas Bromly, lord-chancellor of England, succinctly declared, that the earl had plotted and devised treason against his queen and country; which being upon the point of coming to light, had made him lay violent hands upon himself. But, that the multitude and common people, who always put the worst constructions upon things, might be satisfied, he commanded the king's attorney, and the king's council at law, to deliver and explain at large the causes why the earl was detained in prison, and the manner of his death.

Hereupon Popham, the queen's attorney-general, beginning at the rebellion in the north, shewed out of the records, That he was arraigned for this rebellion, and for purposing to deliver the queen of Scotland, did then acknowledge his fault, and submitted himself unto the mercy of the queen; and, that he was fined at five thousand marks, as I have said before; and, that the queen, such was her clemency, took not a penny, but remitted the same; and, that after the execution of his brother for the same fault, she confirmed him in the honour of the earl of Northumberland: that he nevertheless entered into new practices to deliver the queen of Scotland, to conquer England, to kill the queen, and to destroy religion: that Mendoza, the Spanish ambassador, had signified to Throgmorton, that Charles Paget, under the name of Mope, had talked with him of these things secretly in Suffex: that the lord Paget had insinuated the same things almost unto Throgmorton, and that the same things were evident and apparent by the papers of Chreycton, the Scottish Jesuit,

Jesuit, and that Charles Paget had told these things to Mr. William Shelley when he returned out of France.

Then Egerton, the queen's solicitor, argued shrewdly from the circumstances and the great care taken of concealing it, that the earl was guilty of, and privy to these things; that is to say, for that the earl, since that none in England could charge him with these things, but the lord Paget, who was very familiar with Throgmorton, a few days after the taking and apprehension of Throgmorton, made a ship ready for Paget by Shelley, in which he passed over to France.

When Throgmorton began to confess some things, he departed from London, and went out of the way to Petworth, and signified to Shelley, whom he had sent for, that he was fallen into great danger of his life, and of his estate, and requested him to conceal the business, and to send away them who were acquainted with the departure of the lord Paget, and with the coming of Charles Paget, which was done forthwith: and he himself sent a good way off the man whom he had used about Charles Paget.

Moreover, the solicitor said, That he, being now in prison, dealt oftentimes with Shelley, by the keepers whom he corrupted, to know what things, and of what nature, he had confessed.

After that, Shelley, by a poor woman, a secret messenger between them, had certified him that he could not conceal matters any longer; that their condition and estate were not like; that he should soon be put on the wreck, but that the earl could not, in respect of his place and degree, ever have written those things which he had confessed. The earl sighed grievously, and sometimes said, as **Panton,**

ton, who waited on him in his chamber confessed, that by the confession of Shelley he was utterly undone.

Then the manner and reason of his death is declared, out of the testimony of the inquest of the lieutenant of the Tower, of some of the wardens, and of Panton ; and thereupon it was gathered, that he, for fear his house and family should be utterly destroyed, and a blemish and blot cast upon them, had laid violent hands upon himself. Many worthy men, as well because they favoured nobility, as because he was reputed a man of great valour, were heartily sorry that such a man came to such a lamentable and wretched end.

What the suspecting fugitives said of one Bal-live, one of Hatton's men, who a little before was made keeper to the earl, we omit as a thing of small credit; neither do we mean to set down things from idle reports.

In the year 1586, Philip, earl of Arundel, who had lain now a whole year in prison, was accused in the Star-chamber, That he had relieved priests against the laws ; that he had had commerce of letters with Allan and Parsons the Jesuit, enemies of the queen ; and, that he had derogated in writing from the justice of the land, and imagined to depart out of the land without licence.

He, professing his duty and service to the queen, and his love and good-will to his country, excused himself with great modesty, by the love he had to the catholic religion, and by his ignorance of the laws ; and submitted himself to the censure and judgment of the lords, who fined him at ten thousand pounds, and to be imprisoned during the queen's pleasure.



In the month of July, a most pernicious conspiracy against queen Elizabeth was discovered; of which we will here give the reader a brief account.

At Easter, this year, John Ballard, a priest of the seminary of Rhemes, who had visited many Roman catholics in England and Scotland, returned into France, accompanied with Mawd, one of Walsingham's spies, a crafty dissembler who had bleared his eyes, and talked with Bernardino Mendoza, at that time ordinary ambassador of the king of Spain in France, and with Charles Paget, a man entirely devoted to the queen of Scotland, about invading of England; saying, that now was a fit time, all the military men being absent in the Low-countries; and, that they could not hope for a fitter time, since the pope, the king of Spain, Guise and Parma, were determined to set upon England, by that way to turn the war out of the Low-countries: and, though Paget held it clear, that it would be in vain, as long as the queen lived, yet Ballard was sent back into England, being sworn to procure aid and help to the invaders, and liberty to the queen of Scotland; and that with all speed, and as soon as he could.

At Witsuntide following, this Ballard, dressed like a soldier, and called by a counterfeit name, captain Foscu, arrived in England, and talked at London about these things with Anthony Babington of Dethick in Derbyshire, a young man of a good family, rich, of an uncommon genius, and learned above his years; who, being addicted to the Roman religion, had a little before stolen over to France, without any licence, and had been very familiar with Thomas Morgan, one that belonged to the queen of Scotland, and with the  
bishop

bishop of Glasgow her embassador ; which two, in extolling continually the heroic virtues of such a queen, had shewed certain hopes of great honours and preferments by her ; of which the ambitious young man quickly took hold. They also commended him, in their letters to the queen of Scotland : for, when he was returned to England, she courteously saluted him by her letters ; and, from that time, Morgan used to send over, and to convey letters to her by his means, till such time as she was ordered to be kept by Amias Paulet. For then, the young man seeing the danger, left off.

With this Babington did Ballard deal about this matter. He was fully persuaded that the invasion of England would come to nothing so long as queen Elizabeth lived : but, when Ballard had insinuated that she should not live long ; that Savage, who had taken an oath to kill her, was already come into England ; Babington did not like that so important a matter should be committed only to Savage, lest he should fail in his attempt ; but rather to six brave gentlemen, of whom he would have Savage one, lest he should break his oath : and Babington devised a new way to have the land invaded by strangers, and decided concerning the havens where they should land, the aid that should be joined to them, how to deliver the queen of Scotland, and to kill queen Elizabeth.

Whilst he studied earnestly about this matter, he received, by a boy unknown, letters in a character or cypher familiar between the queen of Scotland and him, which mildly accused him for his long silence, and bad him send with speed a packet of letters sent from Morgan, and delivered by the secretary of the French embassador : which

he did, and by the same messenger wrote letters to her, wherein he excused her silence, for that he was deprived of means and opportunity to send, from the time that she was put into the custody of Amias Paulet, a puritan, a mere Leycestrian, and a professed enemy of the catholic faith, for so he called him.

He opened unto her, what he had conferred with Ballard, and told her, that six gentlemen were selected to execute the tragical murder; and, that he, with a hundred others, would deliver her at the same time. He besought her, that rewards might be propounded, and given unto the heroical actors in this business, or to their posterity, if they failed or died in the action.

To these letters answer was made on the twenty-seventh of July, The forward care of Babington toward the catholic religion and herself, is commended; but he was advised to proceed in the business warily; and, that an association might be made amongst them, as though they feared the puritans; and, that no stir should be made before they were certain and assured of foreign help and forces, that some tumult might be raised also in Ireland, whilst a blow or wound might be given in these parts, Arundel, and his brethren, and Northumberland, might be drawn to their side; Westmorland, Paget, and some others, secretly called home.

And the way also of delivering her was prescribed, either by overthrowing a cart in the gate, or by burning the stables, or by intercepting herself when she rode up and down in the fields, for her recreation, between Chartley and Stafford.

Lastly, Babington was commanded to give his word and promise for the rewards unto the six gentlemen and the others.

He

He had already gotten together some gentlemen who were zealous Roman catholics, among which the chief were Edward Windsor, brother to lord Windsor, a mild young man ; Thomas Salisbury, of a noble family in Denbighshire ; Charles Tilney, of an ancient worshipful house, the only hope of his family, and one of the gentlemen-pensioners to the queen, whom Ballard had lately reconciled to the Roman church ; both of them very able men ; Childiock Tichburn, of Hampshire ; Edward Abington, whose father was confederer to the queen ; Robert Gage, out of Surrey ; John Traverser, and John Charnocke, of Lancashire ; John Jones, whose father had been taylor to queen Mary ; the above-named Savage ; Barnwell, of a worshipful family in Ireland ; and Henry Dun, a clerk in the office of the first fruits and tenths. Pooley also insinuated himself amongst them. He was a man perfectly instructed in the affairs of the queen of Scotland, a notable and cunning dissembler, who is thought to have discovered all their purposes and counsels to Walsingham, day by day ; and to have urged these young men, ready enough to do evil headlong, by suggesting and putting worse things into their heads ; though Navus, secretary to the queen of Scotland, had secretly advised them to beware of him.

To these men Babington communicated the matter, but not all things to every one. He shewed his letters, and those of the queen of Scotland, to Ballard, Tichburn, and Dun. He moved Tilney and Tichburn to dispatch the queen. At first they refused to contaminate and embroil their hands in their prince's blood ; Ballard and Babington told them, that it was lawful to kill princes who were excommunicated ; and, that it

was excusable, as being done for the good of the catholic religion.

With these arguments they were, with much ado, persuaded, and gave consent; Abington, Barnwell, Charnock, and Savage, readily and voluntarily swore to do it. Salisbury could not be persuaded by any means to kill her, but to procure the queen of Scotland's liberty, he offered himself voluntarily to Savage and the others. Babington would have associated Tichenor, of whose fidelity and valour he had a great opinion; but he was gone to travel. Babington charged them not to impart the matter to any, before they had sworn them to be secret.

The conspirators conferred sometimes of this affair in Paul's church, in St. Giles's fields, and in the Taverns, in which they kept many feasts, puffed up with the hope of great honours, now and then extolling the valour of the nobility of Scotland, who had lately intercepted the king of Scotland at Sterling; and Gerard the Burgonian, who had killed the prince of Orange. And, so far did they carry their foolish presumption, that they caused them who were appointed to kill the queen to be painted in tables to the life, and Babington in the midst of them with this verse:

“Hi mihi sunt comites quos ipsa pericula ducunt.”

These, my brave friends, even Danger's self excites.

But, because this verse, as too plain, did not seem to their purpose, they took it away, and, in its stead, they put this:

“Quorsum hæc, aliò properantibus?”

Why these, whilst elsewhere we our footsteps bend.

It is reported that these tables were intercepted and secretly shewn to the queen, who knew none of them by the countenance but Barnwell, who had oftentimes talked with her about the causes of the earl of Kildare, to whom he belonged; but by other tokens which she was told, she knew the man.

Happening once to take a walk for her recreation, she spied Barnwell, and looked earnestly on him without fear; and turning to Hatton, captain of her guard, and others, said, "Am not I well attended and guarded, that have not in my company so much as one man that weareth a sword?" These words Barnwell himself told afterwards to the conspirators, and shewed them how easily she might then have been dispatched, if the conspirators had been there; and Savage affirmed the same.

Now nothing troubled the mind of Babington more, than, lest he should be disappointed of the foreign forces: therefore, to make that sure and certain, he determined to go over himself into France, and to send Ballard over secretly before for that purpose: having got a licence under a counterfeit name by a bribe he had given; and, that he might clear himself from all suspicion, by the before-named Pooley, he sued to Walsingham to obtain leave of the queen for him to go into France, promising to do good service in searching and discovering the most secret plots of the fugitives for the queen of Scotland. He commended the purpose of the young man, and promised him not only a licence, but many and great rewards if he performed it; yet he every day invented new delays, having come to the knowledge of their design, by his own penetration, and by the intelligence of Gilbert Giffard a priest.

This man, born at Chellington in Staffordshire, not far from Chartley, where the queen of Scotland was kept, was sent about this time by the fugitives into England, under the counterfeit name of Luson, to remind Savage of the oath he had taken, to lie hid in order to send the letters to and fro between them and the queen of Scotland ; when they could draw neither the countess of Arundel, nor the lord Lumley, nor Henry Howard, nor George Sherley, into so dangerous an enterprise.

The fugitives, to try whether the conveying of letters by Giffard was safe, first sent blanks made up like packets, which when they understood by answers to be delivered, they being more confident, sent others in cyphers concerning their affairs. But Giffard, whether tormented in conscience, or corrupted by bribes, or terrified with fear, came secretly to Walsingham, and told him who he was, and for what purpose he was sent into England, and offered all his service out of love to his country and prince ; and promised to communicate unto him all the letters he received, either from the fugitives or from the queen of Scotland.

Walsingham embracing the occasion offered, received him favourably, sent him into Staffordshire, and wrote to Powlet, that he should suffer some of his servants to be corrupted by Giffard and winck at it. He, as though unwilling, as he said, that any of his servants should be made a traitor in a dissembling manner, suffered him to corrupt the brewer, or the man that kept the provender, who dwelt hard by.

Giffard quickly corrupted the brewer for a few angels of gold, who, by a hole in the wall into which a stone was put so that it might be taken out,

out, secretly sent in and received back letters, which by posts appointed came to the hands of Walsingham, who unsealed and copied them out : and, by the skill of Thomas Philips, he found out the cyphers, and so sealed them again, by the skill of Arthur Gregory, that none could perceive them to have been unsealed ; and so sent them to those to whom they were directed. So were those above-mentioned of the queen of Scotland to Babington, and his answers to her, and others to him (in which was craftily added a postscript in the same character, bidding him send the names of the six gentlemen, if not the others) and also the letters sent the same day to Mendoza, the king of Spain's embassador, to Charles Paget, the lord Paget, the archbishop of Glasgow, and to Francis Inglefield ; every one of which were copied out, and afterwards conveyed as they were directed.

Queen Elizabeth, as soon as she understood by these letters that such a terrible storm hung over her head, on the one side from her subjects at home, and on the other side from foreign enemies, commanded Ballard to be apprehended, thereby to suppress the conspiracy betimes. So on a sudden he was taken in the house of Babington, in the very instant that he was ready to go upon his journey into France.

Hereat Babington was wonderfully perplexed, and was in a thousand minds, and went to Tichburn, and asked his advice what was to be done. His counsel was, that the conspirators should scatter and fly several ways ; but his own was, secretly to send Savage and Charnock, and that speedily, to dispatch the queen : yet, that they might come with more facility to her, they should provide richer cloaths for Savage, and he talked with them of this in Paul's church : but by and by changing  
his



his mind, and concealing his inward cares, he urged Walsingham, being then absent and at court, that his licence to travel into France might be now at length granted; and at the same time intreated him to let Ballard free, whom he should have great occasion to use in that negociation.

Walsingham delayed, and held him on with fair promises from day to day; and, as concerning Ballard, and taking of him, he in that affair employed Young, that cunning hunter out of the Romanists, and, as it were in friendship, secretly advised him to take heed of such fellows, and persuaded the young man to lie all night in London, till the queen signed his passport, and he himself returned to London, that they might talk of such important affairs with more secrecy, and lest the fugitives, when he came to France, should gather any manner of suspicion from his going often to and fro thither.

In the mean time, Scudamore, one of Walsingham's men, was commanded to watch him very narrowly, and to accompany him in every place, under colour that he might be the safer from the pursuivants.

Hitherto had Walsingham contrived and wrought the business, the other counsellors of the queen being ignorant of it; and would have proceeded further, and lengthened it, but the queen would not, "lest," as she said, "in not taking heed of a danger when she might, she should seem more to tempt God, than to hope in him." Therefore an order was sent from Walsingham to watch Babington with more care. This not being sealed, was so delivered, that Babington, being next to him at the table, read it also. Hereupon, being guilty in conscience, and suspecting that all was discovered, the next night, when he, Scudamore,  
and

and one or two more of Walsingham's men had cheerfully supped at a tavern, he, as if he would have paid the reckoning, arose, leaving behind him his sword and cloak, and got to Westminster by the darkness of the night, where Gage changed cloaths with him, and put on Charnock's cloaths, and so they went together into St. John's wood, near the city : to which place Barnwell and Dun came soon after.

In the mean time they were proclaimed traitors throughout all England.

After lurking in woods and by-ways, when they had in vain solicited money of the French ambassador, and horses of Tichburn, they cut off Babington's hair, and disfigured his face with the green shells of walnuts ; but being compelled by famine, they went to the Bellamy's house near Harrow on the Hill, which family was much addicted to the Roman religion. There they were hidden and relieved with victuals in the barns, and dressed in husbandmen's apparel ; but, being found after ten days, they were brought to London, the citizens testifying their public joy with ringing of bells, making of bonfires in the streets, and singing of psalms : so much that the citizens received great commendations and thanks of the queen for those expressions of loyalty.

The other conspirators were soon taken, most of them near the city, and Salisbury in Cheshire, his horse being thrust through with a halbard, and Traverse with him, after they had swam over the river of Wever ; and in Wales Jones was taken, who, being acquainted with the intended invasion, had also hidden them in his house, after he knew they were proclaimed traitors, and had moreover furnished Salisbury in his flight with a horse, and his man, who was a priest, with a cloak he lent him.

him. Only Windsor was not found. Many days were spent in the examination of these men, who, in their confessions, impeached one another, concealing nothing that was true.

All this time the queen of Scotland, and her servants, were so narrowly kept and watched by Powlet, that these things were kept from her knowledge, though publicly known in all England. As soon as these men were taken, Thomas Gorge was sent to inform her in few words, of these things; which he did, she nothing dreaming thereof, as she had taken horse to go a hunting; neither was she suffered to return, but under shew of honour, lead about to gentlemen's houses that lived thereabouts.

In the mean time, J. Maner, Edward Aston, Richard Bagot, and William Wade, by commission from the queen, kept Navus and Curlus her secretaries, and other servants severally, that they should have no communication with each other, nor with the queen. And, breaking open the doors of her closet, sent all her cabinets and desks, in which her papers were laid, sealed up with their seals to the court.

Then Powlet, being so commanded, seized on all the money, lest she should corrupt any body with bribes, and gave his word to restore it. The caskets and desks being searched before queen Elizabeth, there were found the letters of many strangers, the copies also of letters to many; about sixty kinds of cyphers, and also the letters of many noblemen of England, offering their love and service, which yet queen Elizabeth dissembled in silence; but they suspecting this, did afterwards all they could against the queen of Scots, that so they might not seem to have favoured her.

Now Giffard, having served their purpose in this manner, was sent into France as a banished man,

man, leaving first with the French ambassador in England, a paper containing this charge, not to deliver any letters from the queen of Scotland, or from the fugitives, which should fall into his hands, to any other but him that brought the counterpart of it, which he secretly sent to Walsingham.

Being returned into France, after some months, he was cast into prison for his wicked life; and, being suspected of these proceedings, died wretchedly.

On the thirteenth day of September, seven of the conspirators were brought to the bar and arraigned, and acknowledged themselves guilty, and received sentence for treason. On the next day, the other seven, being brought to the bar, pleaded not guilty to their indictment, and put themselves to be tried by God and their country, were proved guilty by their own confessions, and were likewise condemned. Pooley only, though he was privy to all, because he affirmed that he had made some discoveries to Walsingham, was not at all arraigned.

On the twentieth day of the same month, the first seven were, on a pair of gallows, set upon a scaffold on St. Giles in the Fields, where they had used to meet, hanged, and cut down, and their privities cut off, bowelled and quartered, whilst yet alive; Ballard, the contriver of the wickedness, asking pardon of God and the queen, with this restriction, if he had offended her.

Babington (who, without fear, beheld the execution of Ballard, whilst the others, turning their faces away, and on their knees, were earnest at their prayers,) ingenuously acknowledging his fault; and, being let down from the gallows several times, plainly cried out in the Latin tongue, "Parce mihi Domine Jesu."

Savage,

Savage (the rope breaking) fell from the gallows, and was directly pulled away, and his privy members cut off, and bowelled alive.

Barnwell extenuated the fault, with the pretext of religion and conscience.

Tichburn, humbly acknowledging his wickedness, moved all the multitude to compassion, and so also did Tilney, being a well-shaped man, and modest in behaviour.

Babington, being of a turbulent spirit and nature, uttering threats and terrors, of the blood that was 'ere long to be shed in England.

On the next day, the other seven were drawn to the same place, but used with more mercy by the queen's command, who detested the former cruelty; for every one of them hung till they were quite dead, before they were cut down, and bowelled.

Salisbury the first, was very penitent, and advised the Catholics not to attempt the restitution of religion by force of arms.

Dun, who was the next, did the same.

Jones protested that he had dissuaded Salisbury from this enterprize; and, that he utterly condemned and disliked the haughty and rash temper of Babington, and the purpose of invasion.

Charnock and Travers, attentive wholly to their prayers, commended themselves to God and the saints.

Gage, extolling the bountiful liberality of the queen towards his father, and detesting his own treacherous ingratitude towards a princess so well deserving.

Hierom Bellamy, who had hidden Babington after he was proclaimed traitor (whose brother, privy to the same offence, had strangled himself  
in

in prison) ashamed and silent, was the last of this company.

These men being executed, Navus the Frenchman, and Curlus the Scot, who were secretaries to the queen of Scotland, being examined about the letters, copies of letters, and little notes and cyphers found in the queen's closet, voluntarily acknowledged, by their subscriptions, that the hand-writing was their own, indited by her in French, taken down by Novus, and translated into English by Curlus. Neither did they deny, that she received letters from Babington, and that they were wrote back by her orders in the sense aforesaid. Yet this is certain, from letters, that when Curlus, at this time, asked Walsingham for what he promised, that Walsingham reproved him, as one forgetful of an extraordinary favour, since he had not confessed any thing but what he could not deny, when Navus charged him with it to his face.

The counsellors of England could not agree what should be done with the queen of Scotland: some were of opinion, that no severity should be used against her, but that she should be kept very close, as well because she was not the beginner of this plot, but only made acquainted with it; and also because she was sickly, and not likely to live long. Others, for the security of religion, would have her dispatched out of the way. Leicester had rather have it done by poison, and secretly sent a divine to Walsingham, to prove to him, that it was lawful; but Walsingham protested, that he was so far from allowing that any violence should be used, that long ago he had opposed the advice of Morton, who had persuaded them to send her into Scotland, that she might be killed in the very borders of both the kingdoms.

They

They were, moreover, of different opinions, by what law or act they should proceed against her; whether by that of the twenty-fifth year of Edward III. (in which, he is a traitor who deviseth to kill the king or queen, or moveth war in the kingdom, or doth adhere unto his enemies :) or whether, by an act of the twenty-seventh year of queen Elizabeth.

At length their opinion prevailed, who would have it by this latter law, as made for this purpose, and therefore to be accommodated to it; and, pursuant to that law, enacted the year before, that enquiry might be made, and sentence pronounced against them who raised rebellion, invaded the kingdom, or attempted to hurt the queen, many of the privy-council, and noblemen of England, were chosen commissioners by letters-patents; the form of which was as follows :

ELIZABETH, by the grace of God, of  
 “ England, France, and Ireland, queen, defender  
 “ of the faith, &c. To the most reverend father  
 “ in Christ, John, archbishop of Canterbury, primate and metropolitan of all England, and one  
 “ of our privy-council; and to our beloved and  
 “ trusty Thomas Bromley, knight, chancellor of  
 “ England, and another of our privy-counsel;  
 “ and also to our well-beloved and trusty William,  
 “ lord Burghley, lord-treasurer of England, another of our privy-council; and also to our most  
 “ dear cousin William, marquis of Winchester,  
 “ one of the lords of the parliament; and to our  
 “ most dear cousin Edward, earl of Oxford, great  
 “ chamberlain of England, another of the lords  
 “ of the parliament; and also to our most dear  
 “ cousin George, earl of Shrewsbury, earl-marshal  
 “ of England, another of our privy-council; and  
 to

“ to our most dear cousin Henry, earl of Kent,  
 “ another of the lords of the parliament; and  
 “ also to our most dear cousin Henry, earl of  
 “ Derby, another of our privy-council; and to  
 “ our most dear cousin William, earl of Worcester,  
 “ another of the lords of the parliament; and to  
 “ our most dear cousin Edward, earl of Rutland,  
 “ another of the lords of the parliament; and to  
 “ our most dear cousin Ambrose, earl of War-  
 “ wick, master of our ordnance, another of our  
 “ privy-council; and to our most dear cousin  
 “ Henry, earl of Pembroke, another of the lords  
 “ of the parliament; and also to our most dear  
 “ cousin Robert, earl of Leicester, master of our  
 “ horse, another of our privy-council; and to our  
 “ most dear cousin, Henry, earl of Lincoln, ano-  
 “ ther of the lords of the parliament; and also to  
 “ our most dear cousin Anthony, viscount Mon-  
 “ tague, another of the lords of the parliament;  
 “ and to our well-beloved and trusty Charles, lord  
 “ Howard, our great admiral of England, another  
 “ of our privy-council; and to our well-beloved  
 “ and faithful Henry, lord Hunsdon, our lord-  
 “ chamberlain, another of our privy-council; and  
 “ also to our well-beloved and trusty Henry,  
 “ lord of Abergavenny, another of the lords of  
 “ the parliament; and to our well-beloved and  
 “ trusty Edward, lord Zouch, another of the  
 “ lords of the parliament; and to our well-beloved  
 “ and trusty Edward, lord Morley, another of the  
 “ lords of the parliament; and also to our well-  
 “ beloved and trusty William, lord Cobham, lord  
 “ warden of our five ports, another of our privy-  
 “ council; and also to our well-beloved and trusty  
 “ Edward, lord Stafford, another of the lords of  
 “ the parliament; and also to our well-beloved  
 “ and trusty Arthur, lord Grey of Wilton, another  
 VOL. II. S “ of



“ of the lords of the parliament ; and also to our  
 “ well-beloved and trusty John, lord Lumley, ano-  
 “ ther of the lords of the parliament ; and also to  
 “ our well-beloved and trusty John, lord Sturton,  
 “ another of the lords of the parliament ; and to  
 “ our well-beloved and trusty William, lord Sandys,  
 “ another of the lords of the parliament ; and also  
 “ to our well-beloved and trusty Henry, lord  
 “ Wentworth, another of the lords of the parlia-  
 “ ment ; to our well-beloved and trusty Lewis,  
 “ lord Mordaunt, another of the lords of the par-  
 “ liament ; and to our well-beloved and trusty  
 “ John, lord St. John of Bletso, another of the  
 “ lords of the parliament ; and also to our well-  
 “ beloved and trusty Thomas, lord Buckhurst,  
 “ another of our privy-council ; and to our well-  
 “ beloved and trusty Henry, lord Compton, ano-  
 “ ther of the lords of the parliament ; and also to  
 “ our well-beloved and trusty Henry, lord Cheney,  
 “ another of the lords of the parliament : to our  
 “ well-beloved and trusty Francis Knolles, knight,  
 “ treasurer of our household, another of our privy-  
 “ council ; and also to our well-beloved and trusty  
 “ James Crofts, knight, comptroller of our said  
 “ household, another of our privy-council : to our  
 “ beloved and trusty Christopher Hatton, knight,  
 “ our vice-chamberlain, another of our privy-  
 “ council ; and also to our trusty and well-beloved  
 • “ Francis Walsingham, knight, one of our chief  
 “ secretaries, another of our privy-council ; and  
 “ also unto our trusty and well-beloved William  
 “ Davison, esquire, another of our principal secre-  
 “ taries, of our privy-council ; and to our trusty  
 “ and well-beloved Ralph Sadleir, knight, chancel-  
 “ lor of our dutchy of Lancaster, another of our  
 “ privy-council ; and also to our trusty and well-  
 “ beloved Walter Mildmay, knt. chancellor of our  
 “ Exchequer, another of our privy-council ; and to  
 “ our

“ our trusty and well-beloved Amias Powlet, knt.  
 “ captain of the isle of Jersey, another of our privy-  
 “ council : and to our trusty and well-beloved John  
 “ Wolley, esq; our secretary for the Latin tongue,  
 “ another of our privy-council ; and also to our  
 “ trusty and well-beloved Christopher Wray,  
 “ knight, chief-justice of the King’s-Bench ; and  
 “ to our trusty and well-beloved Edmund Ander-  
 “ son, knight, chief-justice of the Common  
 “ Bench, Roger Manwood, knight, chief baron  
 “ of our Exchequer, Thomas Gawdy, knight,  
 “ one of the justices of the King’s-Bench, and  
 “ William Peryam, one of the justices of our  
 “ Bench, greeting, &c.

And, not to set it down verbatim : after the  
 recapitulation of the act made the last year, these  
 words follow :

“ When, after the session of parliament, viz.  
 “ after the first day of June, in the twenty-seventh  
 “ year of our reign, divers things have been com-  
 “ passed and devised, tending to the hurt of our  
 “ royal person, as well by Mary, daughter and  
 “ heir of James the First, lately king of Scotland,  
 “ and commonly called queen of Scotland, and  
 “ dowager of France, pretending title unto the  
 “ crown of this realm of England, as by divers  
 “ other persons, with the privity of the same  
 “ Mary, as it is given us to understand : and for  
 “ that we intend and determine, that the said act  
 “ should be executed rightly and effectually in all  
 “ things, and by all things, according to the tenor  
 “ of the said act : and, that all the offences afore-  
 “ said, in the aforesaid act, as it is said, mentioned,  
 “ and the circumstances of the same should be ex-  
 “ amined, and sentence and judgment thereupon  
 “ given, according to the tenor and effect of the  
 “ said act :

“ We give unto you, and to the greater part  
 “ of you, full and ample power, faculty, and  
 “ authority, according to the tenor of the said  
 “ act, to examine all and singular things, com-  
 “ passed and devised, tending to the hurt of our  
 “ royal person; with the privity of the said Mary,  
 “ and all the circumstances of the same, and all  
 “ the aforesaid offences whatsoever, mentioned in  
 “ the said act, as it is said, and all circumstances  
 “ of the same offences, and of every one of them.  
 “ And moreover, according to the tenor of the said  
 “ act, to give sentence and judgment, even as  
 “ the matter shall appear unto you upon good  
 “ proof; and therefore we command you to pro-  
 “ ceed diligently upon the aforesaid things in the  
 “ form aforesaid, at certain days and places,  
 “ which you, or the greatest part of you, shall  
 “ appoint, and provide for this purpose, &c.

Most of these came to Fodringhay castle in  
 Northamptonshire, on the eleventh day of Oc-  
 tober, where the queen of Scotland was then  
 kept.

On the next day the commissioners sent to  
 her sir Walter Mildmay, sir Amias Powlet, and  
 Edward Barker, a public notary, who delivered  
 into her hands the letters of queen Elizabeth;  
 which, when she had read over, she with a princely  
 countenance, and great composure of mind, said,  
 “ I am much aggrieved, that the queen, my most  
 “ dear sister, is wrong informed of me; and that  
 “ I, who have so straitly been kept so many years,  
 “ and being now lame, after I have offered so  
 “ many equal and and fair conditions for my li-  
 “ berty, have lain so long a time neglected: al-  
 “ though I have fully forewarned her of many  
 “ dangers, yet I was not believed, but was al-  
 “ ways

“ ways despised, although I am most near to her  
“ in blood.

“ When the association was made, and when it  
“ was confirmed in the parliament, I foresaw, that  
“ whatsoever danger befel, either by foreign  
“ princes abroad, or any hare-brain fellows at  
“ home, or for the cause of religion, I should  
“ pay dear for the same, I having so many deadly  
“ enemies at court. I may take it in evil part,  
“ and I have cause for it, that a league was made  
“ with my son, without my privity or knowledge ;  
“ but such like things I pretermitt.

“ But, to come unto these letters ; it seemeth  
“ strange unto me, that the queen commandeth  
“ me, as if I were her subject, to come unto a  
“ trial : I am an absolute queen, neither will I do  
“ or commit any thing, which may impair or  
“ wrong the royal majesty of kings and princes,  
“ of my place and rank, or my son ; my mind is  
“ not so dejected, neither will I yield and sink  
“ down under calamity, I refer myself unto those  
“ things which I protested before Bromley and  
“ the lord Delaware. The laws and statutes of  
“ Engiand are to me utterly unknown ; I am def-  
“ titute of counsellors ; I tell you plain, I know  
“ not who may be my peers : my papers and  
“ notes of remembrances are taken from me ;  
“ there is none that dare plead or speak in my  
“ cause. I am free from all offence against the  
“ queen ; neither am I to be called in question,  
“ but upon my own word or writing, which can  
“ never be brought against me ; but yet I cannot  
“ deny, but that I have commended myself and  
“ my cause to foreign princes.

On the next day Powlet and Barker returned to  
her in the name of the commissioners, shewed her

this answer in writing, and asked her if she persisted in it.

After she had heard it distinctly read, she said it was truly and rightly copied, and said she would persist in the same: "But, she added, I did not remember one thing which I wish may be put in; whereas the queen hath written I am subject and liable unto the laws of England, and am to be judged by them, because I lived under the protection of them: I answer, That I came into England to ask and crave aid and help, from which time I have been kept and detained in prison, and could not enjoy the protection and benefit of the laws of England; and hitherto I could not understand by any body what the laws of England were."

In the afternoon, several chosen out of the commissioners came to her, with men versed in the canon and civil laws; but the chancellor and the treasurer declared their authority out of the letters-patents, and made it appear to her, that neither captivity, nor the prerogative of royal majesty, could exempt her from answering in this kingdom; admonishing her mildly to hear the objections made against her; if not, they threatened they both might, and would proceed against her by the authority of the law.

She answered, "That she was not a subject, and had rather die a thousand times than acknowledge herself a subject; since that, by acknowledging it, she should do prejudice and wrong unto the highness of the majesty of kings, and withall, should confess herself to be bound unto all the laws of England, even in matters of religion, Nevertheless, she was ready to answer unto all things in a full and free parliament, since that she is ignorant, if only for a fashion and a shew, this assembly was appointed  
"against

“ against her, already condemned with their fore-  
 “ judgments; therefore she closely admonisheth  
 “ them to look unto their consciences, and to re-  
 “ member, that the theatre of the whole world  
 “ was far more spacious than the kingdom of  
 “ England.”

Lastly, she began to complain of the injuries done her, and the treasurer to enumerate the favours bestowed upon her by queen Elizabeth, viz. That she had punished many who strove to invalidate the right she challenged to England, and had prevented her from being condemned by the states of the realm, for pursuing the marriage with the duke of Norfolk, the rebellion in the North, and other things; but she, seeming to treat these as things of little importance, they went away.

A few hours after, they shewed the heads of the letters-patents, together with the names of the commissioners, by Powlet and the solicitor, that she might see that they were to deal formally, and according to equity, and not according to the quirks of the law.

She made no exceptions against the commissioners, but remonstrated vehemently against the new or late act, upon which all the authority of the commissioners depended, alledging, that it was devised purposely against her; and that there was no example of the like proceeding; and that she would never submit herself to be tried upon that act.

She asked by what law they would proceed against her; if by the civil, or canon laws, she said the expounders were to be sent for to Pavia, or Poitiers, and other foreign universities, since fit men were not to be found in England. She added, that it was evident, by plain words in

the letters, that she was accounted guilty of the fault, although she was not heard; and therefore she had no reason to appear before them, and she required to be satisfied of many scruples in these letters, which she had remarked, confusedly and in haste, by herself; but she would not deliver them in writing; for that it did not become a king or a prince to play the scribe.

The commissioners came to her again about this affair, and she signified to them, that she did not understand the meaning of these words, "Since she is in the protection of the queen."

The chancellor answered, "This is to be apparent enough to any one of understanding, but yet it is not the duty of subjects to expound what the queen meant, neither were they made commissioners for that cause."

Then she requested, that the protestation which she had made in former times, should be shewed and admitted. It was answered, that it was never admitted, neither could it be admitted now; for that it was an injury to the crown of England.

She asked by what authority they would proceed. It was answered, by the authority of the letters-patents, and the law of England.

"But you, said she, make laws as you list; unto which, it is no reason why I should submit myself, since that the Englishmen, in former times, refused to submit themselves unto the Salic law of the Frenchmen. But, if they proceeded by the law of England, they should bring a precedent for their doings, since that, that law, for the most part, consisted upon examples and customs: but if by the cannon law, then no other men ought to expound the same but the makers of them."

It

It was answered, that they would proceed neither by the civil nor canon laws, but by the laws of England; but, that it might be proved, by the civil and canon laws, that she ought to appear before them, if she did not refuse to hear this; neither did she refuse to hear, but as in way of communication, and not by way of justice, or trial.

Hereupon she declared, that she never compassed or devised any thing to hurt or kill the queen, that she had been offended at the wrongs and indignities done her, that she should be a stumbling-block, if rigorously used; that she did, by Navus, offer to do all that lay in her power for the revocation of the pope's bull: that she would have defended her innocence by letters, but this was not permitted: and, to conclude, that all her offices of good-will for this twenty years have been rejected; as she proceeded in this manner, they interrupted her, and bade her say in plain terms, whether she would answer before the commissioners; she replied, "That this their authority was given to them by the new act made to insnare her: that she could not endure the laws of the queen, which she, upon good reason, suspected: that she, having been hitherto of good courage, would not now wrong her ancestors the kings of Scotland, by acknowledging, that she is a subject of the crown of England; for this is no other than openly to confess them, thereby to have been rebels and traitors. Yet, that she refused not to answer, so she be not reduced unto the rank of a subject: and that she had rather die a thousand times, than to answer as a criminal offender."

To this Hatton, the vice-chamberlain of the queen, made answer; "You are accused (but not condemned) to have conspired to kill our lady and anointed queen. You say you are a queen."



“ queen. Be it so : but the royal estate of a  
 “ queen doth not exempt you from answering un-  
 “ to such a crime as this is, neither by the civil  
 “ nor canon law, nor by the law of nations, nor  
 “ by the law of nature. For all justice would be  
 “ of no force, yea, be utterly overthrown, if faults  
 “ of such a nature should be committed without  
 “ punishment. If you be innocent, you do wrong  
 “ to your credit, by flying from trial. You pro-  
 “ test yourself to be innocent, but queen Eliza-  
 “ beth, of another mind, and not without cause,  
 “ but truly to her great grief; therefore, to ex-  
 “ amine your innocency, she hath sent with au-  
 “ thority, most honourable, most wise, and most  
 “ upright men, who, with equity and with fa-  
 “ vour, are to hear you; and they will rejoice  
 “ from their heart, if you clear yourself of this  
 “ crime. Believe me, the queen herself will be  
 “ very glad, who said to me at my departure, that  
 “ there could not a thing have happened more  
 “ grievous unto her, than that you are charged  
 “ with this fault.

“ Wherefore, laying by the superfluous privi-  
 “ lege of a royal estate, which can be now of no  
 “ use, make your appearance for a trial, shew your  
 “ innocency, lest by searching of evasions, you  
 “ draw upon yourself suspicion, and purchase a  
 “ perpetual blemish of your reputation.”

“ I do not refuse, said she, to answer in a full  
 “ parliament, before the estates of the kingdom be  
 “ fully called, so that I may be declared next in  
 “ succession: yea, and before the queen and her  
 “ counsellors, so that my protestation may be ad-  
 “ mitted, and I may be acknowledged the next  
 “ kinswoman of the queen. In plain terms, I  
 “ will not submit myself unto the judgment of  
 “ mine adversaries, by whom I know, all the de-  
 “ fence

“ fence I can make of mine innocency will not be  
“ allowed and received.”

The chancellor asked her, If she would answer if her protestations were admitted: she answered, “ I will never submit me to the new law, mentioned in the letters-patents.” Hereupon the treasurer replied, Yet we will proceed to-morrow though you be absent, and continue obstinate in the cause. She said, “ Search and examine your consciences, have regard to your honour, God will requite you and your heirs for your judgment upon me.”

On the next day, being the fourteenth day of October, she sent for some of the commissioners, and requested, that the protestation might be admitted and allowed.

The treasurer asked her whether she would come to trial, if the protestation were only received, and put into writing without being admitted.

At length she condescended, but much against her will, lest she, as she said, might seem to derogate from her predecessors or successors; adding, that she was very desirous to clear herself of the crime objected, being persuaded by the reasons of Hatton, which she had better thought on.

Hereupon the commissioners that were present, assembled in the Presence-Chamber. There was a chair of state set under a canopy in the upper part of the chamber, for the queen of England; against it, lower and farther off, near to the rails, a chair for the queen of Scotland; close to the walls on both sides, benches, or forms; on which, on the one side, sat the chancellor of England, the treasurer of England, the earls of Oxford, Kent, Derby, Worcester, Rutland, Cumberland, Warwick, Pembroke, Lincoln, and viscount Montacute

cute; on the other side, the lords Abergavenny, Zouch, Morley, Stafford, Grey, Lumley; Sturton, Sandys, Wentworth, Mordaunt, St. John of Bletso, Compton, and Cheney. Next to them sat the knights of the privy-council; as James Croft, Christopher Hatton, Francis Walsingham, Ralph Sadleir, Walter Mildmay, and Amias Powlet; forward, before the earls, sat the two chief justices, and the chief baron of the Exchequer; on the other side, two barons, and other justices, Dale and Ford, doctors of the civil law; at a little table in the middle, sat Popham the queen's attorney, Egerton the solicitor, Gawdy the queen's serjeant at law, the clerk of the crown, and two clerks.

When she was come, and had set herself in her seat, silence being made, Bromley the chancellor, turning to her, made a short speech to this purpose: "The most high and mighty queen of England, being certified, to her great grief and anguish of mind, that you have plotted both the destruction of her and of England, and also of religion; according to the duty due unto God, herself, and people; in the which, lest she should fail, and out of no malice of mine, hath appointed these commissioners, who may hear what things are objected against you, and how you can clear yourself from the crimes laid against you, and shew your innocence."

She rising up, said, that she came into England to seek and request aid, which was promised her, nevertheless, that she was detained in prison ever since that time. She protested, that she was not subject to the queen, neither was to be forced, or compelled to be brought in, or tried before the commissioners, or any other judge, for any cause whatsoever, but only God alone,  
"the

“ the sovereign judge of all, lest that she should  
 “ do wrong and injury unto her own royal ma-  
 “ jesty, her son the king of Scotland, her succes-  
 “ sors, or any other absolute princes; but now  
 “ she was there in person to refel the crimes ob-  
 “ jected against her.”

And she requested her friends or servants to  
 witneis these things. The chancellor not acknow-  
 ledging that help was promised, answered, “ That  
 “ this protestation was to no purpose; for that  
 “ whosoever, of whatsoever rank or estate he were  
 “ in England, did offend against the laws of Eng-  
 “ land, may be made subject to the same, and  
 “ may be examined and judged by the late new  
 “ law. And that therefore that protestation made  
 “ to the prejudice of the laws, and of the queen  
 “ of England, was not to be admitted.”

Yet the commissioners commanded, as well her  
 protestation, as the answer of the chancellor, to  
 be recorded. Then the letters-patents, which  
 were founded upon the act of parliament, being  
 read aloud, she with a great courage made a pro-  
 testation against that act, as made directly and  
 purposely against her, and in this matter put it to  
 their conscience; and, when the treasurer answer-  
 ed, that every man in this realm was bound to the  
 observation of the laws, though never so lately  
 made, that she should not speak in disparagement  
 of the laws; and that the commissioners would  
 judge, by virtue of that law, whatsoever protes-  
 tations or appellations she made. At length, she  
 said she was ready and prepared to answer concern-  
 ing any act whatsoever, done against the queen of  
 England.

Then Gawdy explained the act in every point,  
 and affirmed, that she had offended against it;  
 and then he made an historical narration of Babing-  
 ton's

ton's conspiracy, and concluded, that "she knew  
 " of it, allowed it, promised help, and shewed  
 " ways and the means." She, with great resolution answered, " That she knew not Babington,  
 " never received letters from him, nor never  
 " wrote unto him, never plotted the destruction  
 " of the queen : and that, to prove it effectually,  
 " the subscription under her own hand was to be  
 " produced. She never heard so much as any  
 " man speak it : that she knew not Ballard, never  
 " maintained him; but that she had heard, that  
 " the catholics were much aggrieved with many  
 " things ; and that she certified the queen there-  
 " with in her letters, and had earnestly desired  
 " her to have pity of them : and that many, ut-  
 " terly to her unknown, had offered their service  
 " unto her, yet that she never moved any to any  
 " wickedness : and that she, being shut up in pri-  
 " son, could neither know, nor hinder the things  
 " which they attempted.'

Upon this, from the confession of Babington, it was urged, that there passed an intercourse of letters between her and Babington. She acknowledged, that she had a correspondence with many by letters, nevertheless, it could not be concluded from thence, that she knew of all their practices. She requested, that a subscription with her own hand might be produced ; and she asked, who could be hurt by it, if she had requested to have letters detained almost a whole year. Then the copies of the letters of Babington were read, in which all the plot was described.

She said, " As concerning these letters, it may  
 " be that Babington might write, but let it be  
 " proved that I received them : if Babington, or  
 " others have affirmed this, I say in plain terms,  
 " they lie. Other mens faults are not to be laid  
 " on

“ on my back. A packet of letters, which was  
 “ detained almost a year, came about that time to  
 “ my hands, but truly I know not by whom it was  
 “ sent to me.”

To prove that she had received Babington’s letters, the heads of the letters which he confessed he had wrote in answer to her’s, were re-read.

In like manner, particulars taken from the confessions of Ballard and Savage were read; who confessed that Babington had communicated to them letters received from the queen of Scotland. She affirmed, that Babington had received none from her, yea rather, that she had been angry with them that secretly suggested, and gave counsel about the invading of England, and warned them to beware and take heed.

Then were shewn the letters, in which the plot of Babington was commended and approved. She asked to have the copy of them, and affirmed, That they came not from her, but perhaps out of her alphabet of cyphers in France; that she had laboured to get her liberty, which is a thing natural to all men, and to have treated with her friends to use means to deliver her: nevertheless, unto many, whom she was not disposed to name, who offered their service, she had not answered a word, but that she much desired to turn away the storm of persecution from the catholics; and that she intreated the queen thereunto, that she would not get a kingdom with the blood of the meanest of all the commons. That there are many who attempt things pernicious without her knowledge, and, in some letters which she had received very lately, some had begged pardon of her, if they attempted any thing without her privy. That it was an easy matter to counterfeit the characters and cyphers, as a young man, who had boasted himself

himself to be the bastard brother to her son, did very lately in France. That she also feared lest this was contrived by Walsingham, who, as she had heard it muttered, had plotted against the life of her and her son. She protested that she never thought to hurt or kill the queen, but that she had rather more willingly bestow her life, than that the catholics should be afflicted so often, and lose their lives with such grievous torments for her sake, and in hatred of her.

“But,” said the treasurer, “none who was an obedient subject was put to death for religion, but many were for treason, maintaining the pope’s authority and bull against the queen.” “But,” said she, “I have heard otherwise, and I have read it also in printed books.” “The writers of such books,” replied he, “wrote also that the queen was deprived of her royal dignity.”

Walsingham, who perceived himself reflected on, rose up, and protesting that his mind was not possessed with any ill-will, said, “I call God to witness, that I, as a private man, have done nothing not befitting an honest and upright man; neither for the public person which I bear, have I done any thing which doth not belong unto my place. I confess that I have been careful of the safety of the queen and the realm, and have curiously sought to find the plots against her. If Ballard had offered me his service, I had not refused it, and had recompensed him for his travail and pain taken. If I have plotted any thing with him, why did he not tell it out, that he might have saved his life?”

She said that she was satisfied with this answer. She requested him not to be angry, for that she so freely spoke what she had heard; and, that he would

would not believe more them that slandered her, than she did them that defamed him : that spies were men not to be trusted, for they dissemble one thing and say another : that he would by no means believe that she consented to hurt or kill the queen. And then, shedding a flood of tears, she said, " I will never cast away my soul, in conspiring to kill my most dear sister."

The lawyers made answer, That it would be proved by testimonies presently.-----This past before noon.

In the afternoon, to corroborate the former evidence, the copy of the letters which Charles Paget wrote, was produced ; and Curlus, one of her secretaries, witnessed, that she received letters concerning the conference between Mendoza and Ballard about the design of invading England. She answered, " This is nothing to the matter ; neither doth it prove, that I consented to hurt or kill the queen."

The lawyers went on to prove, that she was privy to the conspiracy, and also conspired to kill the queen, from the confession of Babington, and the letters between her and Babington ; in which he had saluted and stiled her, His high and mighty lady and queen.

They added, that there was a design formed to assign the kingdom of England to the king of Spain. She acknowledged that a priest came to her, and said, If she did not prevent it, that both she and her son should be excluded from their inheritance : but she would not tell the name of the priest. She likewise said, that the Spaniard challenged a right to the kingdom of England, and would not yield to any but her.

Then they pressed her with the testimonies of Navus and Curlus, her secretaries, from the confession



cession of Babington, and the letters that passed between Babington and her; and all the credit of their proofs depended upon their testimony, and yet they were not confronted by the queen. She acknowledged Curlus to be an honest man, but not a sufficient witness against her: that Navus, formerly secretary to the cardinal of Lorraine; recommended to her by the French king, might be easily induced, either by bribes, hope, or fear, to bear false witness, as one who several times had made rash oaths, and such an ascendant over Curlus that he would write whatsoever he bade him; and it was probable that they inserted things in her letters which she never indited; and received letters which she never saw. She then broke out into these or the like words:

“The majesty and safety of princes will be of  
 “small authority, and be contemned, if they do  
 “depend on the writings and testimonies of their  
 “secretaries. I did indite unto them nothing  
 “but that which Nature hath taught me, that I  
 “might recover and get my liberty at last; nei-  
 “ther am I to be convinced, but out of my own  
 “words or writing. If they have written any  
 “thing that may be hurt and damage to my most  
 “dear sister, unwitting to me, let them be pu-  
 “nished for their inconsiderate boldness. I cer-  
 “tainly know, if they were here present, they  
 “would, in this cause, acquit me of this fault;  
 “and, if I had my papers here, I could answer  
 “unto these things in particular.”

Amongst other things, the treasurer objected, that she had determined to send her son into Spain, and to assign over to the Spaniard the right that she challenged to the kingdom of England. She answered, That she had no realm that she could  
 give

give away ; but yet it was lawful to give away her own things at her will and pleasure.

When the alphabets of cyphers conveyed to Babington, the lord Lodovick, and to the lord of Fernihurst, were objected to her from the testimony of Curlus, she did not deny, but that she had set down more ; and, among the rest, that for the lord Lodovick, at such time as she commended him and another unto the dignity of a cardinal, and, as she hoped without offence, forasmuch that it was no less lawful for her to have commerce of letters, and treat of her affairs, with men of her religion, than it was for the queen, with the professors of the other religion.

Then they pressed her harder, with the united testimonies of Navus and Curlus repeated again ; and she also repeated her former answers, or else positively denied what they charged her with, protesting again, that she neither knew Babington nor Ballard.

Among these speeches, when the treasurer objected, that she knew Morgan, who secretly sent Parry to kill the queen, and had given him an annual pension, she replied, she knew that Morgan had lost for her cause all that he had, and therefore she was bound in honour to relieve him ; and, that she was not bound to revenge an injury done by a well-deserving friend unto the queen, but yet, that she had terrified him from making any such attempts : “ But yet pensions,” said she, “ were given out of England unto Patrick Grey, “ and to the Scots that were mine enemies, as “ likewise to my son.”

The treasurer answered : “ At such time as the “ revenues of the kingdom of Scotland were much “ diminished and impaired by the negligence of “ the viceroys, the queen gave some liberality

“ unto the king your son, her most near allied  
“ cousin.”

Afterwards the contents of the letters to Inglefield, the lord Paget, and Bernardino de Mendoza, concerning foreign aid, were produced: and when to those she had made answer, “ These things touch not, nor concern the death of the queen;” and, if so be that strangers desired and laboured to deliver her, it was not to be objected against her; and, that she had sundry times signified unto the queen that she would seek for her liberty; the trial was adjourned to the next day.

On the next day she repeated again her former protestation, and requested, that it might be ordered, and a copy of it delivered to her, lamenting, That the most reasonable conditions which she had propounded oftentimes to the queen, were always rejected; yea, when she promised to give her son, and the son of the duke of Guise, for hostages, that the queen, or the kingdom of England, should take no harm by her. That she saw, long ere now, that all ways of liberty were stopped, but now that she was most basely used, to have her honour and estimation called in question before petifoggers and lawyers, who drew every circumstance into consequence by their quiddities and tricks, since that anointed and consecrated princes are not subject, nor under the same laws, that private men are. Moreover, when they have authority and commission given them of examining, things tending to the hurt of the queen’s person, yet, notwithstanding the cause is so handled, and letters wrested, that the religion which she professeth, and the immunity and majesty of foreign princes, and the private commerces between princes, are called in question, and she below her royal dignity is brought to the bar, as it were to be  
be

be arraigned, and to no other purpose, but that she may be wholly excluded from the favour of the queen, and from her right in the succession, when she appeared voluntarily to confute all objections, lest she might seem to have been slack in the defence of her honour and credit.

She reminded them, how Elizabeth herself had been drawn into question for the conspiracy of Wyat, when she yet was most innocent; religiously affirming, That, although she wished the good and welfare of catholics, yet she would not have it done by the death and blood of any one. That she had rather play the part of Hester than of Judith; make intercession unto God for the people, rather than to take away the life of the meanest of the people.

And then appealing to the majesty of God, and to the princes allied to her, and repeating again her protestation, she requested that there might be another assembly about this matter, and that she might have a lawyer assigned her; and, that since she was a prince, that they would give credit to the word of a prince, for it was extreme folly to stand unto their judgment, whom she most plainly saw to be armed with fore-judgments against her.

To this the treasurer answered, " Since that I  
 " bear a twofold person, the one of a delegate or  
 " commissioner, and the other of a counsellor;  
 " first, take of me a few things, as from a com-  
 " missioner: your protestation is recorded, and  
 " the copy thereof shall be delivered unto you.  
 " We have authority given us under the queen's  
 " own hand, and the great seal of England, from  
 " the which there is no appellation. Neither come  
 " we with a fore-judgment, but to judge according  
 " to the rule and square of justice. The lawyers  
 " aim at no other thing, but that the truth may  
 " appear

“ appear how far you now have offended against  
“ the queen’s person. We have full power given  
“ us to hear and examine the matter; yea, in  
“ your defence; yet we desire to have you present,  
“ lest we should seem to diminish your honour or  
“ credit: neither have we thought to object unto  
“ you any thing, but that you have done or at-  
“ tempted against the queen’s person. The letters  
“ are read for no other purpose, but to lay open  
“ the practice against the queen, and other things  
“ pertaining thereunto, and are so mingled with  
“ other things, that they cannot be separated: and  
“ therefore the whole letters, and not parcels  
“ taken out of sundry places of them, are read,  
“ for as much as circumstances do give credit unto  
“ the things of which you dealt with Babington.”

She interrupting him, said, That the circumstances might be proved, but not the deed; that her integrity depended not upon the credit and memory of her secretaries, though she knew them honest: but yet, if they had confessed something out of fear of the wreck, hope of reward, and of impunity, it is not to be admitted and received out of just causes, which she may declare in another place: that the minds of men are carried away by sundry kinds of affections; that they would never have confessed such things, but either for gain or upon some hope: that letters may be directed unto other, than unto whom they are written; and, that many things which she had not dictated, had many times been inserted: if her papers had not been taken away, and that she had a secretary, she could with more ease confute their objections.

"But nothing," said the treasurer, "shall be objected, but from the nine and twentieth day of June; neither will the papers do any good, since

“without torture, have affirmed you to have sent  
“letters unto Babington ; which thing, although  
“you deny, let the commissioners judge, whether  
“more credit is to be given unto their affirmation  
“or your denial. But to come to the matter ; as  
“a counsellor I tell you this ; you have made  
“many propositions about your liberty at sundry  
“times ; that nothing came thereof, was along of  
“you, or of the Scots, and not of our queen ; for  
“the noblemen of Scotland absolutely denied to  
“deliver the king for hostage : and, when last of  
“all there was a treaty for your delivery, Parry  
“was sent secretly by Morgan to kill the queen.”  
“Ah !” said she, “you are my professed enemy.”  
“Yea, rather,” replied he, “I am an enemy to  
“the enemies of queen Elizabeth. But enough  
“of these things ; let us therefore proceed unto  
“proofs :” when she denied to hear. “Yet we  
“will hear,” said he : “And I also,” said she,  
“in another place, and will defend myself.”

Then the letters to Charles Paget were read again ; in which she told him, there was no other way for the Spaniard to bring the Netherlands into subjection, but by placing a prince in England who might assist him. The letters to the lord Paget to hasten aid and forces to invade England : the letters of cardinal Allan, in which he saluted her as his high and sovereign lady, and signified that the business was recommended to the care of the prince of Parma.

As these were reading, she interrupted them, saying : That Babington and her secretaries accused her to excuse themselves ; that she never heard of the six ruffians ; that the other things were not to the matter ; that she esteemed Allan to be a reverend prelate ; that she did acknowledge no other

head of the church, than the pope of Rome; that she was not ignorant in what regard and estimation she was with him and with foreign princes, nor could she hinder it, if they in their letters called her queen; that her secretaries, since they did against their office, faith and fidelity, confirmed by oath unto her, deserved no credit; that there was no credit to be given to them that were once forsworn, though they swore again by all the oaths of God; neither that they did think themselves tied, with any oath whatsoever, in conscience, since that they have sworn unto her before that loyalty and secrecy, neither for that they were not subjects of England: that Navus had written oftentimes otherwise than she had dictated; and, that Curlus had written all whatsoever Navus had bidden; but that she would maintain and uphold their faults in all things, but those that might blemish her honour. Perhaps also, these fellows did confess to do themselves a benefit, whilst they might think not to hurt her, with whom, as with a queen, they thought mildness should be used: that she heard nothing of Ballard, but of one Hallard, who had offered his service, which yet she had refused, for that she had heard that the same man had been belonging to Walsingham.

Afterwards, when the notes from the letters to Lodovick, which Curlus acknowledged that he had wrote in a private character, were read before her, it was inferred from them, that she had formed a design to transfer the right to the kingdom to the Spaniard; and, that Allan and Parsons stayed at Rome for that purpose.

She, complaining that her servants had violated their fidelity confirmed by oath, answered, "When  
 " I, being in prison, and languished with care,  
 " without hope of liberty, and there was not any  
 " more

“ more hope left of ever bringing to pass those  
 “ things, which very many expected of me in my  
 “ sickness and declining age ; many thought it  
 “ fit that the succession of the realm of England  
 “ should be established in the Spaniard, or in a ca-  
 “ tholic Englishman ; and a book was brought to  
 “ prove the right of the Spaniard ; which being  
 “ not admitted by me, I offended many : but all  
 “ my hope in England being now desperate, I am  
 “ resolved not to reject foreign help.”

The solicitor admonished the commissioner secretly what might become of them, their honours, goods, and posterity, if the kingdom should be so transferred ; but the treasurer proved that the kingdom of England could not be transferred, but was to descend by the right of succession, according to the laws.

She requested that she might be heard in a full and open parliament, or that she herself might speak to the queen, whom she hoped would respect a queen, and the counsellors. And then rising from her seat with a cheerful countenance, she spoke a few words aside with the treasurer, Hattoe, Walsingham, and the earl of Warwick.

These things being done, the assembly was adjourned to the five and twentieth day of October, in the Star-chamber at Westminster.

These facts are taken from the commentaries of Edward Barker, principal register to the queen ; Thomas Wheeler, a notary public, register of the audience of Canterbury, and other credible persons that were present.

And in this manner the queen thought proper to have her tried, though the lawyers, who are so much attached to form, that, according to their form of law, she was to be called to trial in the county of Stafford, and to be brought to hold up  
 her



her hand at the barr publicly before the bench, and to be tried by twelve, saying this was a proper method of proceeding against a prince. To avoid such absurdities, she thought it better to refer so great a cause to the noblemen of the land, and to the judges: "and this scarce suffices when," said she, "all men's eyes are cast upon us princes, as being set aloft as on a high scaffold; so that in us even the least blemish or spot is seen afar off; so that we are carefully to provide that we do nothing unworthy of ourselves."

But to return: on the day before-mentioned met all the commissioners (but the earls of Shrewsbury and Warwick, who were then sick) and, after that Navus and Curlus had affirmed and confirmed before them, that every and singular the letters and copies of letters, which were produced before, were most true upon their oaths, *viva voce*, voluntarily without hope or reward, the sentence against the queen of Scotland was pronounced and confirmed with the seals and subscriptions of the commissioners, and recorded in these words:

"By their assent, consent, and accord, they do pronounce, give, and lay their sentence and judgment, at the day and place last rehearsed, that, after the end of the aforesaid session of parliament, specified in the aforesaid commission; viz. after the aforesaid first day of June, in the twenty-seventh year aforesaid, and before the date of the said commission, divers things were imagined and compassed within this realm of England, by Anthony Babington, and others, with the privity of the said Mary, pretending title unto the crown of this realm of England, tending to the hurt, death and destruction of the royal person of our said lady the queen. And  
"to

“ to wit, that, after the aforesaid first day of June,  
 “ in the seven and twentieth year above said, and  
 “ before the date of the aforesaid commission, the  
 “ said Mary pretending title unto the crown of this  
 “ realm of England, compassed and imagined  
 “ within this realm of England divers things tend-  
 “ ing to the hurt, death, and destruction of the  
 “ royal person of our lady the queen, against the  
 “ form of the statute specified in the aforesaid  
 “ commission.”

This sentence, which depended wholly on the credit of the secretaries, who had not been confronted with the queen of Scotland, according to the first statute of the thirteenth year of queen Elizabeth herself, made various impressions on the different opinions of men; some judging them unworthy of credit, whilst others again thought they should be believed.

The same day it was declared by the commissioners, and by the judges of the realm, That that sentence did derogate nothing from James, king of Scotland, in his right or honour; but him to be in the same place, estate and right, as if that sentence had not been given at all.

In a short time after, there was a parliament held at Westminster, in which the states of the kingdom, who had approved and confirmed by their votes the sentence pronounced against the queen of Scotland, by unanimous consent, delivered by the chancellor to the queen a petition, in which they most earnestly besought her, that, for the preservation of the true religion, the tranquillity of the realm, safety of the queen, the welfare of them and their posterity, the sentence against queen Mary of Scotland, according to the law, might be published.

They

They derived their reasons from the dangers impending over their religion, her royal person, and realm, by her who, nursed up in the religion of the papists, and sworn one of the holy league to root out the religion of the protestants, had long claimed the realm as due to her, and had thought it highly meritorious to oppose a woman excommunicated, and deprive her of her life.

She had subverted and overthrown the flourishing families of the realm, and promoted all the plots and tumults in England. To spare her, would be productive of ruin to the people, who would take it very ill if she was suffered to escape without punishment; and would believe themselves freed from the oath of the association, except she was put to death.

Lastly, they reminded her what fearful examples of divine vengeance there were against king Saul for not killing Agag, and upon Acah for not killing Benadad. Such was the purport of their address.

The queen being greatly affected with the representations made her by her subjects, often uttered such expressions as these, "Either bear it, or strike home: Kill, lest thou be killed: and some time after, she delivered to Davison, one of her secretaries, letters signed with her hand, that a mandate should be made under the great seal of England for the execution of queen Mary, which might be ready in case of any danger; and commanded him not to communicate the matter to any man. But, on the next day, she changing her mind, commanded Davison, by William Killigrew, that the mandate should not be made up.

He forthwith came to the queen, and told her, that the mandate was made and sealed with the great seal. She reproved him for making such haste;

haste ; nevertheless he communicated the mandate and business to the queen's counsellors ; and persuaded them, who quickly believed what they desired, that the queen commanded that it should be put in execution without delay.

Beale, than whom there was nobody more disaffected to the queen of Scotland on account of religion, was sent with one or two executions and letters, which authority was given to the earls of Shrewsbury, Kent, Derby, and Cumberland, with others, to put her to death according to the laws, without the queen's knowledge ; and though, at that very time, she had signified to Davison, that she would take another course about the queen of Scotland, yet he did not call Beale back.

As soon as the earls arrived at Fotheringhay, they came to her, with Amias Powlet and Drewgh Drury, in whose custody she was ; and signified the cause of their coming, reading the mandate ; and, in few words, admonished her to prepare herself for death ; for that she was to die next day. She, without fear, and with a settled mind, said, " I did not think that queen Elizabeth, my sister, " would have consented unto my death ; for I am " not subject unto your law ; but, since it is " otherwise, death shall be unto me most wel- " come ; neither is that soul worthy of the hea- " venly and everlasting joys, whose body cannot " endure one blow of the hangman."

She requested that she might confer with her almoner, her confessor, and with Melvin her steward. They in plain terms refused that her confessor should come to her ; and the earls commended the bishop or dean of Peterborough to comfort her ; whom, when she had rejected, the earl of Kent being a bigot in religion, turned to her, and, amongst other words, broke out into these :

these : “ Thy life will be the destruction of our religion, as, on the other side, thy death will be the life of the same.”

Mention being made of Babington, she constantly and utterly denied that she knew of his plots ; left the revenge to God : and, being questioned concerning that which was done by Navus and Curlus, she asked, if ever it was heard, that the servants were suborned and admitted as witnesses to the death of their masters.

When the earls were departed, she commanded them to make haste with her supper, that she might set things better in order. She supped sparingly and soberly, as her manner was. At supper-time, seeing her men and maid-servants weeping, with an undaunted mind, she bid them be of good cheer, and abstain from sorrow, but rather rejoice ; for that she was to depart presently out of an abyss of evil, and turning to Burgon her physician, asked him, if he did not observe, that the force of truth was great. “ They said, I must die, for that I was of counsel to kill the queen ; nevertheless, the earl of Kent insinuateth, that there is no other cause of my death, but that they fear their religion, by reason of me. Neither is my offence against the queen, but their fear they have of me, hath hastened and procured my death, whilst many seek privately their own ends and purposes, under the borrowed cloak of religion and the public good.”

Toward the end of supper, she drank to all her servants, who pledged her on their knees in their order, mingling their tears with the wine, and asking pardon for the neglect of their duty, as she allo of them.

After supper, she read over her testament, read also the inventory of her goods and moveables,  
and

and writ on them the names of them to whom she bequeathed them ; to some she gave money with her own hand. She writ to her confessor, to pray to God for her ; and also, she wrote letters of commendation to the French king, and to the duke of Guise, for her servants. She went to bed at her ordinary hour, and slept some hours ; being awaked, she spent the rest of the night in prayers,

The fatal day beginning to break, she dressed herself as she used to do on festival days, and calling her servants together, read over her will, and requested them to take in good part the legacies she gave, since her ability was not to bestow any more ; and then, setting her mind upon God, with all humility, in her chapel, besought him to give her his grace and favour, with sighs, tears, and prayers, till Thomas Andrews, sheriff of the shire, told her that she was to come forth. She came forth majestically, in stature, beauty, and shew, with a chearful countenance, matron-like apparel, and very modest, her head being covered with a linen veil, which hung very low, her beads hanging down at her girdle, and carrying a crucifix of ivory in her hands.

In the gallery, the earls and other gentlemen received her, where Melvin her servant, on his knees, and with tears in his eyes, lamented his fortune, that he should carry this heavy and sad news of the very woful death of his lady into Scotland. She comforting him, said, “ Do not  
“ lament, but rather be glad, thou shalt straight-  
“ way see Mary Stuart delivered and freed from  
“ all her cares. You may tell them that I die  
“ constant in my religion, and firm in fidelity to-  
“ ward Scotland and France ; God forgive them  
“ who have thirsted for my blood, as the hart  
“ doth

“ doth after the spring of water. Thou, our God,  
 “ who art truth itself, and perfectly and thorough-  
 “ ly dost know the most secret corners of my heart,  
 “ dost know how much I desire that the realms  
 “ of England and Scotland might be united in  
 “ one. Salute my son, and certify him, that I  
 “ have done nothing that may be prejudicial unto  
 “ the kingdom of Scotland; will him to keep  
 “ friendship with the queen of England; and see  
 “ that thou serve him faithfully.”

And then tears falling from her eyes, she bid  
 Melvin farewell again and again. And, turning  
 to the earls, she requested, That her servants  
 might be courteously used; and that they might  
 enjoy those things which she had bequeathed  
 them, that they might stand by at her death, and  
 be sent into their country with a safe-conduct.

They promised the first; but the earl of Kent  
 seemed perplexed, fearing some superstition. She  
 said, “ Fear not, these wretches desire to give me  
 “ their last farewell. I know my sister Elizabeth  
 “ would not deny me so small a favour, as to have  
 “ my maids to be present, if it be but for woman-  
 “ hood sake. I am most near of kin unto her;  
 “ I come from king Henry the Seventh; I am  
 “ queen dowager of France, and the anointed  
 “ queen of Scotland.”

When she had said thus, and turned away, she  
 was permitted to have such of her servants present  
 as she pleased. She nominated Melvin, Burgoin  
 her physician, the apothecary and surgeon, and  
 two maids, and others; of which Melvin bore  
 up her train. So, the gentlemen, two earls, and  
 the sheriff of the shire going before her, she came  
 to the scaffold, which was set up in the upper end  
 of the hall; in which was a chair, a cushion, a  
 block, and all covered with black cloth.

As

As soon as she sat down, silence being made, Beale read the commission, and she heard attentively, as if it had been another matter. Then Fletcher, dean of Peterborough, began a tedious speech to her of the condition of her life formerly past, and the present, and that to come. Once or twice she interrupted his speech, and desired him not to trouble her, and protested that she was settled in the ancient catholic religion, and was ready to end her life in the same. And, when he persuaded her earnestly do true penance, and with a firm faith to put her hope in Christ, she answered, "That she was born and bred, and would now end her life in that religion. And to the earls, who said they would pray for her, she said; "She would give them many thanks if they would pray with her; but I should offend much, if I did communicate in prayer with you who are of another profession."

Then they bid the dean pray; and, when the whole company there assembled, prayed together; she falling on her knees, carrying the crucifix before him in her hands, together with her servants; prayed in Latin out of the office of our Lady.

After the dean had ended his prayers, she, in the English tongue; commended to God the church, her son, and queen Elizabeth; and besought him to avert his indignation from this isle, and professed that she reposed her hope in the blood of Christ, (lifting up the crucifix) and desired all the company of heaven to make intercession to him for her; she forgave all her enemies, and kissing the crucifix, and signing herself with the cross, she said, "As thy arms, O Christ, were spread abroad on the cross, so, with the stretched-out arms of thy mercy receive me, and forgive me my sins."



Then she forgave the executioners, who asked pardon: and, when her maids had taken off her upper garments, she hastening them, they cried aloud; she then kissed them, and, signing them with the cross, smiled and bid them farewell. Her face being covered with a linen cloth, lying on the block, she said the psalm, “In te Domine ‘con fido, ne confundar in æternum. Thou will “let me never be confounded.”

1874 Then, as she stretched out her body, and of-  
 8- tentimes repeated, “In manus tuas Domine com-  
 187. mendo spiritum meum, Into thy hands I com-  
 mit my spirit,” her head was cut off at two blows. The dean saying aloud, “So let the ene-  
 mies of queen Elizabeth perish,” the earl of Kent saying the same, and the multitude sighing and grieving at the spectacle.

Her body was embalmed, and was afterwards buried like a prince in the cathedral church of Peterborough. Her funeral was also kept most magnificently at Paris, at the expence of the Guises, who performed all the best offices of kindred for their cousin, both alive and dead, to their great honour.

In this lamentable manner ended her life. Mary queen of Scotland, the great grand-daughter of Henry VII, by his eldest daughter, in the forty-sixth year of her age, and the eighteenth year of her captivity. A woman, most constant in her religion, endowed with a wonderful piety towards God, wisdom above her sex, and an uncommon beauty.

In her infancy, she was passionately desired for a wife, by king Henry the eighth of England, for his son Edward; and by Henry II. king of France, for Francis the dauphin. At the age of five years she was carried into France, and at the  
 .age

age of fifteen years married to the dauphin. She flourished and was queen of France one year and four months. Her husband being dead, she returned into Scotland, and was married again to Henry Stuart, lord Durky, and had by him James, the first monarch of Great-Britain. Tossed and turmoiled by Murray, her bastard brother, and other her ungrateful and ambitious subjects; deposed from her kingdom, and obliged to fly into England; circumvented and entrapped (as men speaking indifferently think) by sundry Englishmen, careful of the preservation of their religion and of the safety of the queen Elizabeth, and spurred on by others, desiring much to restore the Roman religion; oppressed by the testimonies of her secretaries who were absent, and (as it seemed) corrupted with rewards.

Near the grave, an epitaph in the Latin tongue was affixed, and soon after taken away.

“ Maria Scotorum regina, regis filia, regis Gal-  
 “ lorum vidua, reginæ Anglæ agnata, & hæres  
 “ proxima, virtutibus regiis & animo regio ornata,  
 “ jure regio, frustra sæpius implorato, barbara &  
 “ tyrannica crudelitate, ornamentum nostri seculi,  
 “ & lumen vere regium extinguitur: eodemque  
 “ nefario judicio & Maria Scotorum regina morte  
 “ naturali, & omnes superstites reges, plebei facti,  
 “ morte civili mulctantur. Novum & inauditum  
 “ tumulti genus, in quo cum vivis mortui inclu-  
 “ duntur, hic extat: cum sacris enim divæ Mariæ  
 “ cineribus omnium regum atque principum viola-  
 “ tam, atque prostratam majestatem hic jacere  
 “ scito; & quia tacitum regale fati superque reges  
 “ sui officii monet, plura non addo viator.”

Which may be thus translated :

MARY, queen of Scotland, daughter of a king, widow of the king of France, kinswoman and next heir to the queen of England, adorned with royal virtues, and a princely spirit, having often, but in vain, implored the right of a prince; the ornament of our age, and the true princely light, is extinguished by a barbarous and tyrannical cruelty: and, by the same wicked judgment, both Mary queen of Scotland is punished with a natural death, and all kings living are made common persons, and punished, and made liable unto a civil death. A strange and unheard kind of grant is here extant, in which the living are included with the dead; for, with the ashes of this blessed Mary, know thou that the majesty of all kings and princes lie here depressed and violated; and, because the regal secret doth sufficiently admonish kings of their duty, O traveller I say no more.

From this lamentable fate of so great a prince, the disposition of the divine providence most evidently appeared, as some wise men have observed. For those things which the queens, Elizabeth and Mary, chiefly wished and studied to procure, by this means came to pass.

Queen Mary, which also she said at her death, desired nothing more earnestly, than, that the divided kingdoms of England and Scotland might be united in the person of her dear son: and the other wished for nothing more than, that the religion by her established in England, might be kept and preserved with the safety and security of the people: and, that almighty God did hear their prayers, England, to her unexpected felicity, doth now see, and with great joy acknowledge.

As

As soon as word was brought to queen Elizabeth, that the queen of Scotland was put to death, she not expecting it, heard it with great indignation. She looked heavily, and could not speak a word, and ready to swoon for sorrow; inso-much, that she put on mourning and grieved exceedingly. She caused her counsellors (being reprov'd and forbidden her presence) to be examined, and commanded Davison to be brought into the Star-chamber; and, as soon as her grief would permit her, she, in great haste, wrote the following letter to the king of Scotland with her own hand, and sent it by Mr. Robert Cary, one of the lord of Hunsdon's sons.

"DEAR brother, I would to God you did know, but not feel, with what incomparable grief my mind is tormented and vexed, by reason of the lamentable event which hath befallen contrary to my mind and will, which you shall understand fully by my cousin; forasmuch as I cannot abide and endure to set it down by writing.

"I beseech you, that, as God and many others can bear witness unto my innocence in this matter; so I desire you to believe, that, if I had commanded it, I would never have denied the same. I am not of that base mind, that for any terror I should fear to do that which is just, or to deny it being done. I do not so degenerate from my ancestors, nor am I of such an ignoble mind.

"But, as it is not the part of a prince to cover and cloak the sense of his mind with words, so will I never dissemble nor gloss mine actions; but I will perform that they shall come to light, and appear to the world in their colours. I

“ would have you be assuredly persuaded, that, as  
 “ I know that this was done upon desert, so, if I  
 “ had imagined it, I would not have put it over  
 “ upon any other ; neither yet will I impute that  
 “ to myself, which I did not so much as think.  
 “ He who shall deliver you these letters, shall ac-  
 “ quaint and impart other things unto you.

“ As for me, I would have you to believe, that  
 “ there is none other who loveth you better, and  
 “ beareth better affection to you, or that will have  
 “ a more friendly care of you and your affairs. If  
 “ any one suggesteth, or putteth other things into  
 “ your head, I would have you to think that he  
 “ beareth more good-will and affection to others  
 “ than to you.

“ God almighty keep you in health, and preserve  
 “ you always.”

In the mean time that Mr. Cary was in his jour-  
 ney with these letters, Davison was brought into  
 the Star-chamber before the commissioners ap-  
 pointed : viz. Christopher Wray, lord-chief-justi-  
 ce of the King's-Bench, made for that time  
 lord-keeper of the privy-seal ; the archbishops of  
 Canterbury and York ; the earls of Worcester,  
 Cumberland, and Lincoln ; the lords Grey and  
 Lumley ; James Croft, knight, comptroller of the  
 queen's house ; sir Walter Mildmay, chancellor of  
 the Exchequer ; sir Gilbert Gerrard, master of the  
 Rolls ; Edmund Anderion, lord-chief-justice of  
 the Common-Pleas ; and Roger Manwood, lord-  
 chief-baron of the Exchequer.

Before these commissioners, Popham, the queen's  
 attorney, charged Davison with contempt of her  
 majesty, violation of his faith, and neglect of his  
 duty ; that whereas the queen, out of her inbred  
 clemency, would not have the queen of Scotland,  
 though

though condemned, to be put unto death, for causes known to herself, and not to be searched and pried into by others, could not be brought thereunto, neither by the estates of the kingdom, nor by her counsellors earnestly urging her thereunto; nevertheless had commanded a mandate to be made for her execution, to prevent dangers that might ensue, and had committed it unto the fidelity and secrecy of Davison, he being her sworn secretary; but forgetting trust and duty, and in contempt of her majesty, contrary unto which the queen had commanded, had imparted it unto the counsellors, and put it in execution, she being utterly ignorant thereof.

Davison, with great modesty, and quietly, yet with a good courage, answered, That he was sorry that, in a most just cause of the queen of Scotland, and most weighty judgment against her, if ever there was any, that he should trouble again the commissioners, if not with the loss, yet, at least, with the impairing of his reputation, which he esteemed above all other things: but he was most aggrieved, that he was charged to have offended most contemptuously against her majesty, who, the more she had been bountiful to him, and he more bound for her bounty, his offence might seem more heinous.

If he should acknowledge himself guilty of the crimes objected, he should wrong his credit, which was dearer to him than his life. If he should contest in his own defence with the queen, he should do a thing unworthy of the obedience of a subject, the duty of a servant, and the fidelity of a secretary:

He protested before God and the commissioners, That, wittingly or willingly, he had done

nothing in this thing, but that which he was persuaded in his conscience the queen willed: in the which, if he had carried himself to do any hurt, either by unskilfulness or by negligence, he could not choose but be grievously sorry, and undergo willingly the censure of the commissioners.

As, concerning particulars, when the queen reproved him that he had sealed the mandatum with the great seal in such great haste; he affirmed, That she insinuated, but did not expressly bid him to keep it to himself. Neither did he think that he committed any fault against the trust of silence put on him, since he never spake word of this matter, but unto the privy-counsellors.

With regard to his not having recalled the mandatum, after the queen had signified to him, that she had changed her mind, he affirmed, That it was agreed that it should be sent forthwith, and execution done, lest the common-wealth, or the queen, might take some harm.

Hereupon Egerton, the solicitor, began to press Davison for his own confession, reading a piece of it; but he requested him to read it all, and not this piece and that piece; but yet he had rather that it should not be read at all, because therein some secrets not to be uttered were contained; and now and then interrupting him, he said, That, as he would not contest with the queen, so he could not endure that his modesty should be any detriment unto the truth and his integrity.

Gaudy and Puckering, serjeants at law, reproved him sharply for having craftily abused the wisdom of the counsellors; and, from the confession of Burleigh the treasurer, to whom (doubting whether the queen had determined on the execution,

tion) he affirmed it very earnest, as he did also to the rest, who set their hands to the letters of the manner of the execution.

Davison, with tears in his eyes, begged the lawyers not to press him so vehemently; and entreated them to remember that he would not contest with the queen, unto whose conscience, and unto the censure of the commissioners, he committed himself wholly.

To conclude, by their general sentence, he was fined ten thousand pounds, and imprisoned at the queen's pleasure.

Davison requested the commissioners to make intercession to the queen for him, not for the honourable place of secretary, which he had, or his liberty, or for diminishing of the fine imposed, but that he might be restored unto her favour; which he never recovered, though she oftentimes relieved his wants. So Davison, an honest man, without policy, and not skilful in affairs of state, was brought, as most men thought, upon the stage amongst the statesmen, to play his part a while in this tragedy, and straight had his disguise pulled off, and, as if he had failed in the last act, was thrust from off the stage, and kept long in prison, but not without being pitied by many.

The apology which Davison made for himself to Walsingham, we shall here give in his own words:

“ After the departure of the French and Scottish  
 “ ambassadors, the queen of her own mind com-  
 “ manded me to shew unto her the mandate of the  
 “ execution of the sentence against the queen of  
 “ Scotland: and it being shewn, she willingly  
 “ signed with her hand, and commanded it, being  
 “ thus signed, to be sealed with the great seal of  
 “ England; and jesting, said, Signify this thing  
 “ unto



“ unto Walsingham (who was sick) yet I fear  
 “ much that he will die for sorrow thereof.

“ Moreover, she said that the causes of the de-  
 “ laying thereof, were, lest she should seem to be  
 “ thought to be drawn thereunto upon violence or  
 “ malice, when yet she knew that it was very ne-  
 “ cessary.

“ Moreover, she blamed Powlet and Drury that  
 “ they had not freed her of this care, and wished  
 “ that Walsingham would try their minds in this  
 “ matter.

“ On the next day, when it was sealed with the  
 “ great seal, she commanded, by Killebrew, that  
 “ it should not be done ; and, when I told her it  
 “ was already done, she reprehended so much  
 “ haste, insinuating that some wise men thought  
 “ another way might be taken. I answered, that  
 “ the course which was most just, was always the  
 “ best and most safe : but, fearing she would lay  
 “ the fault upon me, as she laid the duke of Nor-  
 “ folk upon Burleigh) I communicated all the  
 “ matter unto Hatton, protesting that I would not  
 “ thrust myself into so great a business. He pre-  
 “ sently imparted it unto Burleigh, Burleigh unto  
 “ the rest of the counsellors, who all gave their  
 “ consent to the quick dispatch of the execution ;  
 “ and every one vowed to stand to it, and to stick  
 “ one to another ; and sent Beale with the mandate  
 “ and letters.

“ The third day after, when I perceived that  
 “ her mind wavered, hearing her tell a dream of the  
 “ death of the queen of Scotland, I asked, if she  
 “ had changed her mind ? She said no : but, said  
 “ she, another way might have been invented :  
 “ and withal asked, if any answer were come from  
 “ Powlet : and, when I had shewed his letters,  
 “ wherein, in plain terms, he refused to take upon  
 “ him

“ him that which was neither honourable nor just,  
 “ she, chafing, said, that he and others, who had  
 “ taken the oath of association, were perjured and  
 “ forsworn men, as they who had promised many  
 “ things, but would perform nothing. But I  
 “ shewed how unjust and infamous this would be,  
 “ and into what danger she brought Powlet and  
 “ Drury; for, if she approved and allowed the  
 “ fact, she should draw to herself both danger and  
 “ dishonour, with the note of injustice; but, if  
 “ she disavowed and disallowed the fact, she over-  
 “ threw utterly those well deserving men and their  
 “ posterity: and afterwards she, on the same day  
 “ the queen of Scotland was put to death, slightly  
 “ checked me that the execution was not done.”

What grief soever queen Elizabeth conceived,  
 or made shew of, for the death of the queen of  
 Scotland, certain it is, that the king of Scotland,  
 her only son, was greatly afflicted at it, who, with  
 the greatest piety revered his mother, and re-  
 gretted her exceedingly: for he did not think that  
 queen Elizabeth, in regard of the mutual love that  
 was between them, and the league of stricter  
 friendship lately made between them, neglecting  
 so many intercessions of princes, would have de-  
 livered his mother, a prince of equal state, and  
 her nearest cousin of the royal blood, into the  
 hands of an executioner. He suffered not Mr.  
 Robert Cary, son to lord Hunsdon (who was sent  
 from England to excuse the queen, by laying the  
 fault upon her counsellors and Davison) to come  
 into Scotland, and hardly would hear him by  
 another man, and was with difficulty prevailed on  
 to receive the letters he brought; called his em-  
 bassador out of England, and threatened revenge:  
 and some there were that persuaded him, that  
 other princes of christendom would not let such  
 an

an injury done to the majesty and royal name of a king, go unpunished.

The states of Scotland, who were assembled in great number, professed that they were ready to revenge the death of his mother, defend his right to the crown of England, and to spend their lives and fortunes in the quarrel; and, that they would not digest the injury done, not only to the king, but also to the whole Scotch nation.

Some there were who persuaded the king to ask aid of ships of the king of Denmark, whose daughter he then tendered in marriage.

Some who were addicted to the Roman religion, suggested to him, that he should rather join with the kings of Spain and France, and with the pope, and so he might with ease get possession of England. Above all things, he should give no credit to the protestants of England, who now ruled all, and plotted to destroy him also; whispering this in his ears, "He that hath killed the mother, will also kill the children if he can."

Some there were who secretly advised him to observe an outward neutrality, and to hold both the protestants and Romanists in suspense: for that, if he shewed himself openly for the protestants, the Romanists of Europe would do all they could against him, and would set up another prop and stay in England to his great danger.

Some also there were who advised him to a firm peace with England, and not to put his certain hope upon the uncertain fortune of war; and to be constant in his religion, in which, if he once wavered, he should neither get nor purchase friends, nor lessen the number of his enemies.

Thus every man spoke as fancy or interest led him: but the king, being more prudent than his age seemed to admit of, used no haste, which is  
always

always blind, but weighed their counsels in his mind, considerately and maturely, a long time; both with himself and a few others.

But queen Elizabeth, by laying all the fault on Davison, and the rash credulity of her counsellors, in order to mitigate his grief and sorrow by little and little, lest the comfort given out of season might more exasperate him, stayed till his sorrow lessened by length of time, would suffer itself to be handled: but, when she saw the French incite the king to revenge, she, fearing lest he, by their policy, through desire of revenge, should be drawn away from the religion of the protestants, and the friendship of the English, laboured with all her power to pacify his mind, exulcerated, and in a manner alienated from her, by all means not unworthy of a prince.

Therefore, by her messengers and agents, and after by the lord Hunsdon, governour of Berwick, she proposed these weighty and important reasons: First, What a dangerous thing it may be for him to break into an open war against England for this cause, which seemed unto the estates of England to be as well necessary for the safety of the whole island, as also most just. Then let him consider if he be of ability to take such a war in hand, for as much as England was never better furnished with military men and leaders, with forces and riches; and Scotland, exhausted with intestine wars, never more weak. If he depended upon foreign aid, with what great difficulty, and how long it would be, ere he could get it; and, if he did obtain it, what success could be hoped for, since that England, having the fleets of Holland and Zealand joined thereunto, had no cause to fear the most mighty and potent kings of Europe? What  
hope

hope could he place in the French king, or the king of Spain? For as much as his own power, much increased and augmented by the addition and accession of England, might cross or impeach their designs and purposes, for that his religion might be so opposed unto their profession, that they could not help and aid him but with their own loss and detriment. Neither could the French king see with a contented mind the king of Scotland augmented with the kingdom of England, for fear lest he should with war prosecute the ancient right of the English men in France; or else give help or succour unto the Guises, his cousins, who at this time gaped after the realm of France. But the king of Spain, without all doubt, would do all things to serve his ambitious humour, for as much as he vaunted himself to be the first catholic prince of the blood royal of England, and the stock of Lancaster, though untruly. In respect of which, some jesuits, and others also endeavoured to advance him, whilst the queen of Scotland was yet living, unto the crown of England, as a man most fit to restore the Roman authority in England, the mother and the son being not respected nor regarded.

Moreover, they persuaded him, that she determined, in her last will and testament, to bequeath the kingdom of England unto this king of Spain, if her son continued in the religion of the protestants.

“What may be the meaning of these things,  
 “and whereunto they may tend, and what aid  
 “and help can be hoped for from the king of  
 “Spain, the king may thereby see and perceive;  
 “and withall, if he shall revolt and fall from his  
 “religion, in the which he hath been brought up,  
 “with

“ with what great ignominy he may precipitate and  
 “ cast headlong his soul into eternal damnation,  
 “ and the whole island of Britain into danger and  
 “ destruction.

“ Moreover, he is to consider and be advised,  
 “ lest the estates of England, who have given  
 “ sentence against his mother, do not exclude him  
 “ altogether from the right of succession, by a  
 “ new sentence, whose love, by yielding and giv-  
 “ ing place unto necessity, and restraining the pas-  
 “ sionate motions of his mind, he may easily win  
 “ and purchase unto him, for as much as that  
 “ which is done cannot be undone: and at his time  
 “ he may possess and enjoy quietly the most flourish-  
 “ ing kingdom of England.”

“ In the mean time, he may enjoy security, and  
 “ may seem with all men, indifferent men, that  
 “ have understanding and consideration of things,  
 “ to have received no blemish in his honour, for  
 “ as much as when time was, he omitted no part  
 “ of a most pious and virtuous son toward his mo-  
 “ ther; and let him assuredly persuade himself,  
 “ that the queen of England would account and  
 “ use him most lovingly and affectionately, as if she  
 “ were his own mother.”

She caused these things to be represented to the  
 king of Scotland, and assured him that his mother  
 was put to death without her knowledge: and, to  
 confirm him in that opinion, she determined to  
 send him the sentence given against Davison in the  
 Star-chamber, under the hands of all the commis-  
 sioners, the great seal of England, and also ano-  
 ther instrument signed by all the judges of Eng-  
 land, wherein they confirmed, that the sentence  
 given against his mother, did not prejudice his  
 right in succession, nor could be any obstacle to the  
 same.

As the letters said to have been written by Mary queen of Scots, to the earl of Bothwell, have been the subject of much dispute among the writers of the history of those times, it is apprehended, that a particular disquisition concerning them will not be unacceptable to our readers.

The manner by which these letters came into the possession of the queen's enemies, is conveyed to us by a Memorandum, published along with Buchanan's detection, in these words :

“ MEMORANDUM.

“ THAT in the castell of Edinburgh thair  
 “ was left be the erle of Bothwell, before his  
 “ fleeing away, and was sent for be ane George  
 “ Dalgleish, his servand, who was taken be the  
 “ erle of Mourtoun, ane small gylt coffer, not fully  
 “ ane fute lang, garnisht in sundry places with the  
 “ Roman letter F. under ane king's crowne ;  
 “ wharin were certain letteris and writings weel  
 “ knawin, and be aithis to be affirmit to have been  
 “ written with the queen of Scottis awin hand to  
 “ the erle.”

The letters said to have been contained in this box were eight in number, all written in French : and, besides these, there were some love sonnets, also in French, and a promise of marriage by the queen to Bothwell.

As this is the only account given of the manner in which the letters came to light, we shall here make a few remarks upon it, at the same time leaving the reader to judge for himself.

1. As the matter contained in the letter, in plain words acknowledges a criminal intercourse between the queen and Bothwell ; and likewise insinuates, pretty openly, a design to murder the  
 king.

king.-----It seems scarce credible that such strong and palpable evidence, against herself should be committed by her to writing.

2. It is no less astonishing, that Bothwell, to whom the letters are supposed to have been addressed, should have kept such evidence against himself one moment in his hands, without destroying them, as no good reason can possibly be assigned for his preserving them.

But these are only presumptions, which, by themselves, can have no force against facts : letters are discovered and produced. It seems, however, to be an established maxim, founded on common sense, as well as equity, that, if any man, by the discovery of a writing or deed, pretends to strip another of his property, the pretender must not only prove the authenticity, but likewise give some reasonable account how such writing fell into his hands.

To apply this to the present question : from the letters themselves, the presumption seems to stand in favour of the queen ; that neither she, nor indeed any woman of common prudence or modesty, could have written them. As, therefore, they were produced by the earl of Morton, as his discovery, it becomes necessary to examine every circumstance that relates to this discovery, which may be done in a few words.

On the fifteenth of June, 1567, the queen having left Bothwell, delivered herself into the hands of Morton, and the lords of his party, who sent her prisoner to the castle of Lochleven.

On the twentieth of June, 1567, George Dalgleish, Bothwell's servant, was seized, and it is affirmed that the above-mentioned box and writings were found in his custody. Six days after, he was examined before Morton, Athole, and Grange,



lords of the secret council. A copy of his examination and deposition, said to be taken from the original, in the books of the judiciary, attested by sir John Ballendane, justice-clerk, has been preserved to this day.

This remarkable particular naturally occurs to be observed in it, that it was surely of great importance for Morton, who then had the box in his custody, and, as the record bears, was present at Dalgleish's examination, to have confronted him with the persons who apprehended him; and asked him some questions relating to the box: such as, Whether, or not, this box was in Dalgleish's custody when he, Dalgleish, was seized? What orders he received from his master, Bothwell, about the box? Where he found it? Whether open or locked? If open, what it contained? and, where he was to have carried it? Dalgleish, and the persons who seized him only six days before, could have given distinct answers to those particulars. However, in the whole of his examination and deposition, there is no mention made of the box.

This man, together with Hepburn, Hay, and Pourie, Bothwell's servants, was tried and condemned at Edinburgh, as accessory to the king's murder.

The first appearance of the letters themselves, is in an act of Murray's secret council, dated the fourth of December, 1567: in which it is said, That their rising in arms against the queen, taking her prisoner, and detaining her person in Lochleven, " was in the said queen's awin default, in " as far as, he diversifi her previe letters, WRIT- " TEN AND SUTSCRIVIT WITH HER AWIN HAND, " and send by her to James erle of Bothwell, chief " executer of the horrible murder, [of the king] " as

“ as well before the committing as after, and be  
 “ her ungodly proceeding in a private marriage  
 “ with him suddenly thareafter, it is most certane  
 “ that she was previe art and part of the murder  
 “ of the king.” This act is undoubtedly subscribed by the earls of Murray, Morton, and others of that party, the lords of the secret council, a title they assumed immediately on their imprisoning the queen.

Upon the fifteenth day of December, ten days after the above act of secret council, the earl of Murray’s first parliament met, where an act was passed concerning the queen’s detention, which is almost a transcript of the above act of their secret council, justifying the queen’s imprisonment from  
 “ her awin default, in sa far as be divers her previe  
 “ letters, WRITTEN HALLELIE (i.e. wholly) WITH  
 “ HER AWIN HAND, and send be her to James erle  
 “ of Bothwell, &c. it is certain she was previe, art  
 “ and part, of the king’s murder.”

Upon comparing the words of these two acts together, relating to the letters, it is evident that they clash with each other. The act of secret council, asserting the letters to be “written and subscribed with the queen’s awin hand;” whereas the act of parliament declares them only to be “written halelie with her awin hand.” From whence could so strange a disagreement arise, in two such solemn deeds, and in so very material a point? The additional word *HALELIE* in the act of parliament, which is substituted in the place of the words *AND SUBSCRIVIT*, in the act of council, is sufficient to convince us, that this variation was owing to no inadvertency in the compiler.

The only person who has attempted to explain this jarring between the two records, is the ingenious

ous David Hume, esq. who thinks there is no difficulty in the matter.

We shall here give the reader his observation in his own words: Hist. of England, vol. ii. p. 500. in the notes, after mentioning the objection arising from the jarring of the two records, he says, ‘ But it is not considered that this circumstance is ‘ of no manner of force: there were certainly letters, true or false, laid before the council; and ‘ whether the letters were true or false, this mistake proceeds equally from the inaccuracy or ‘ blunder of the clerk. This is easily accounted ‘ for; the letters were only wrote by her, the second contract with Bothwell was only subscribed. “ A proper accurate description was not made, and “ they are all said to be wrote and subscribed.”

The proper reply to be made to this solution of the above difficulty, is only to desire the reader to compare the words in the two records before cited: the express words are, “ The previe letteris writ- “ ten and sent by the queen to James earl of Both- “ well.” It is apprehended that Mr. Hume will persuade but few, that these words can be applied to a contract, which can neither be said to have been written or sent by the queen to Bothwell, or to any other writings whatever but the letters: far less could this jarring happen in the words of the two records from any mistake or inaccuracy of a clerk. It indeed seems altogether incredible, that, in so important a matter, the wise heads of Murray, Morton, and secretary Lethington, would have trusted the compiling of these two acts to a blundering clerk, or let such an obvious blunder escape them.

If the letters, first produced by Murray and Morton in their secret council, were signed by the queen,

queen, certain it is, that the letters produced before the parliament had no subscription, but were only asserted to be *HALELIE*, or wholly, written by the queen's own hand. If these letters are genuine, it is hard to account for so strange a disagreement: if we suppose them spurious and forged, a reason, I think, for this strange conduct may be given.

It is justly observed, by the ingenious doctor Robertson, That, when a paper is forged with a particular intention, the eagerness of the forger always prompts him to avoid all doubts or uncertainties, and to be as explicit as possible. It is probable that the operators, in their first copies of those letters, would take care to be very explicit and full, both as to the matter and contents of their manufacture, and likewise as to the form they were to appear in.

Lesly, bishop of Ross, in his defence, asserts it, as a thing well known that there were persons about the court who could counterfeit the queen's hand-writing; and that, in fact, several letters had been forged in her name, and sent to England. This is also asserted by the queen herself, in her instructions to her commissioners at York.

The eagerness of the forgers to make the letters to Bothwell fully conclusive against the queen, might very naturally prompt them at first to affix her subscription to them; and, in this shape, they were asserted by Murray, Morton, and others, before their own secret council, to be "written and subscribed with her awin hand." But after those crafty politicians came to consider deliberately, That "those horrible letters," to cite the opinion of the English commissioners in their own words, "conteynit such foul matteir, and abominable

“be either thought of or written by a prince.” Upon seriously reflecting, that it might shock the credulity of many people to believe, that the queen could not only be so wicked as to write such letters, but even so far deprived of common sense as to put her name to them; they might very naturally, in the copies they produced before the parliament, sink the subscription, and, in the place of mentioning the letters to be “written and subscribed” by the queen, substitute the words “halelie written with her awin hand:” in which form they ever afterwards appeared.

The next appearance the letters made was at York, in October 1568, at a conference between Lessly, bishop of Ross, lords Livingston, Boyd, Herries, &c. on the part of queen Mary; and the earls of Murray, Morton, secretary Lethington, and George Buchanan, on the other side; before the duke of Norfolk, earl of Sussex, and sir Ralph Sadler, as commissioners for the queen of England; where it appears, by a letter signed by these last, That the letters, and other evidences against the queen, were produced and shewn to them by Lethington, Buchanan, and Hackgill, in a secret conference, not as commissioners, as they protested, but for their (the English commissioners) better instruction, after declaration of such circumstances as gave ground for vehement presumption to judge the queen guilty of the king's murder.

It is apparent, from this private and secret conference concerning the letters, and the precaution of Lethington and Buchanan being employed to shew and explain these letters to the duke of Norfolk, and earl of Sussex, not as commissioners, that Murray and his party, though by this underhand way they defamed the queen, were at great pains

pains to conceal their secret practices from her commissioners; who, at that time, had orders from Mary, and were instructed to call for the evidences of their charge. This appears from the articles and instructions given by the queen to her commissioners. The queen had heard a surmise of letters said to be written by her. In the seventh article of her instructions to her commissioners she thus charges them:

“ In cais thay alledge thay have ony writingis of  
 “ mine, quhilk may infer presumptioun againis  
 “ me in that cais, ze fall defyre the principallis  
 “ to be product, and that I myself may have in-  
 “ spectioun thair of, and mak answer thairto. For  
 “ ze fall affirm, in my name, I never writ ony  
 “ thing concerning that matter to ony creature:  
 “ and gif ony sic writingis be, thay ar false and  
 “ feinzeit, forgit and inventit be thamefelfis, on-  
 “ lie to my dishonour and sclander: and thair ar  
 “ divers in Scotlande, baith men and women, that  
 “ can counterfeit my hand-writing, and write the  
 “ like manner of writing quhilk I use, as weil as  
 “ myself, and principallie sic as ar in cumpanie  
 “ with thamefelfis.

A cotemporary author has informed us, that this had been done by Maitland her secretary: “ It was notourly known,” says this author, “ that Lethington had often counterfeited the queen’s hand.” But to proceed:

The letters having been thus shown in private to the English commissioners, and the contents fully explained to them by Lethington and Buchanan, a most minute abstract of their whole contents is transmitted by those commissioners to their mistrefs, queen Elizabeth, which is still extant.

Doctor Robertſon, in this part of his hiſtory, takes no notice either of the above private conference, and expoſition of the letters to the Engliſh commiſſioners, or of the queen's inſtructions with regard to them, aſſerting the forgery, and deſiring inſpection of thoſe letters.

Which expoſition of the letters, with the Engliſh commiſſioners letter to their own court, giving a detail of this conference, and ſending the extracts of the letters, with their own explanation, moſt unfavourable for queen Mary, ſhows pretty plainly, that, at this time, there was no plan of ſaving the queen's honour in view; and that, even at this period, the duke of Norfolk was the dupe of Murray, who ſoon after betrayed him.

Queen Elizabeth and her miniſters having adjourned the conferences, betwixt Mary and her ſubjects, to Weſtminſter, the earl of Murray, and his party, on their arrival, were introduced to, and graciously received by, Elizabeth; and any ſcruples they had, or delicacy with reſpect to their accuſing Mary, being eaſily removed, they gave in their charge on the twenty-fixth of November, 1568, publicly accuſing her of being accomplice with Bothwell in the murder of her huſband.

Mary, being informed of the accuſation thus publicly made againſt her, inſtructed her commiſſioners, on the third of December, 1568, to preſent a demand in her name: That, as Elizabeth had given admittance, both in private and public, to her accuſers, ſhe likewiſe might be “ permitted  
“ to cum in proper perſoun to hir majeſties awin  
“ preſence and of her nobilitie, and in the preſence  
“ alſo of hail the ambaffadouris of other coun-  
“ treys, then reſident within hir hienes realme, to  
“ declare hir innocencie, and to mak hir majeſtie  
“ and

“ and thayme understand the untrew invented calumnies of hir saidis rebellis, for the beater defence of her gravis honor, satisfactiōe of hir heines, and all other Christiane princes and guide subjects quhatsumever.”

Mary’s commissioners having presented this supplication in their mistress’s name, Elizabeth refused to comply with their request; and, at the same time, declared to the commissioners, that she would receive proof from Murray and Morton of the verity of their accusation. Upon which Mary’s commissioners remonstrated against this procedure, “ as a preposterous order, never used in any treaty or conference; yea, not even in cases of judicial procedure, to receive probation before the party was heard to answer to the allegiance, and especially in so weighty a cause: they therefore protested, that no further should be proceeded in this conference.”

Notwithstanding this remonstrance, as Elizabeth had formed a resolution to have the accusation fixed on Mary, she, at the very same meeting, called upon Murray and Morton, who directly put into the hands of the English commissioners, the box with the letters and sonnets. They also produced a copy of the earl of Bothwell’s trial, with the examinations and confessions of Hay, Hepburn, Pourie, and Dalgleish, servants of Bothwell, who, although they all charged their master, yet none of them pretended to asperse the queen in the least with any knowledge or accession to the king’s murder. And it is well known, that all of them, at their death, publicly absolved the queen from it. So that, setting the letters aside, there is no other evidence which Murray and Morton could produce against the queen. The letters therefore



therefore, and they only, were the evidence against Mary.

In support of them, Morton himself the queen's accuser, affirmed he got them from Dalgleish in the manner above-mentioned; and one Crawford, (a dependent on the earl of Lennox, another accuser of the queen) the person whom Lennox sent to meet Mary in her road to Glasgow, bears witness to the truth, and some other incidents mentioned in one of the letters; which, whether true or false, seems to be of no consequence; for this plain reason, that whoever did write the letters, would take care to inform themselves of every incident that happened in Mary's company when she was at Glasgow, at the time she is supposed to have written those letters to Bothwell: and they could not apply to a better hand for their information, than to this vassal of Lennox, or even to Lennox himself; who, doubtless, were very ready to give all the information in their power upon the above head.

The letters per se, then, with Morton's single affirmation of the way and manner how they came into his possession, are the only evidences against the queen, which were produced at the conferences.

The want of the concurrence of some other impartial and unsuspected witnesses, to support the testimony of Morton, as to the discovery and seizure of the box and letters, and his remarkable shyness in interrogating Dalgleish on this point, have already been observed. But it perhaps will be said, that, at the time of Dalgleish's trial, this was an oversight which escaped even the sagacity and penetrating genius of Morton, and the whole party. The man was hanged, and he cannot

not now be called from the grave to answer questions. It is to be observed, however, that, at this very time, December, 1568, they had in their custody a very material and living evidence, who had a part in the letters.

The second letter mentions, by name, one Paris, or Nicholas Hubert, a Frenchman, servant of Bothwell, who, it is said, was the person intrusted to carry the letters from the queen to Bothwell. This man had been kept in close confinement in St. Andrews during all this time.

Now, when one sees the remarkable care and attention of the party in collecting every circumstance which they supposed could be matter of proof against the queen, in support of their accusation, their penury of proof notwithstanding, and the pinching necessity of supporting the only evidence they had (that of the letters) by the bare and single affirmation of Morton himself, the queen's accuser, and most inveterate enemy; it is impossible to overlook, without the strongest suspicion, their omitting to have produced so very material an evidence as this Frenchman, in person, to have answered to the questions of Mary, or her commissioners, before the English council, and to the part assigned to him in the letters themselves.

Mr. Hume, who has omitted nothing that he thought was evidence against the queen, has been very sensible of this defect of Murray's, in not calling upon Paris; and he endeavours to supply it in a pretty extraordinary manner. "On giving in the letters," says he, "Murray fortified this evidence by some testimonies of corresponding facts; and he added, sometime after, the dying confession of Hubert, or French Paris, a servant of Bothwell, who had been executed"

“cuted for the king’s murder, and who directly charged the queen with being accessory to that criminal enterprize.” He adds: “It is in vain, at present, to seek for improbabilities in this confession: it was certainly a regular judicial paper, given in regularly and judicially, and ought to have been canvassed at the time.”

From this account Mr. Hume would make one believe, that that piece of evidence, Paris’s confession, had been given in by Murray within a few days after the letters, at least whilst the conferences subsisted; yet nothing can be more false.

The conferences broke up, and the earl of Murray and his party received permission from queen Elizabeth to return home to Scotland, in January, 1568-9. Paris, after lying in close prison till August, 1569, was then put to death; at which time it is pretended he made these confessions against the queen.

Upon so visible a partiality of Elizabeth, it is no easy matter to determine what course would have been most proper for Mary to have taken; being denied that privilege which the greatest of criminals have always been allowed, in every civilized nation; that of being heard personally in her own defence, and confronted with her accusers; she had ordered her commissioners to break off all further conference, before judges already so determined against her. Dr. Robertson is of opinion, that, had she stopt there, it was the most prudent part she could have acted. Let it be considered, however, that her enemies had, at this time, not only accused her publicly, of being privy and accessary to the king’s murder, but had, in compliance with Elizabeth’s order, produced their proof, the box with the letters, and Morton and Crawford’s evidence in support of them.

This

This was the consummation of Elizabeth's utmost wishes. It behoved Mary, on the other hand, clearly to see the inferences that might be drawn to her prejudice from this step she had been provoked to take. By declining the combat, she yielded the victory to her enemies, and left them in the clear possession of the field. They had not only accused her, they had likewise produced what, they asserted, did amount to a full conviction of her guilt, no less than letters written by her own hand to Bothwell, the perpetrator of the murder.

On these considerations, she writes a letter to her commissioners, the nineteenth of December, 1568, retorting the accusation on Murray, adding: "And to the effect our guid sifter may understand  
"we are not willing to lat thair false inventit allegeances pass over with silence, adhering to  
"our former protestatiounis, ze fall desire the  
"inspectioun and doubillis of all thay haif producit againis us; and that we may see the alledgit  
"principal writingis, gif thay haif ony, productit;  
"and, with God's grace we fall mak sic answer thairto, that our innocence fall be knawin to our  
"guid sifter, and to all utheris princes."

In consequence of this letter, Mary's commissioners repaired, on the twenty-fifth day of December, 1568, to the presence of Elizabeth and her council; where, in order to make answer to the accusation, "they maist humble desyrit  
"the quenis majestie to cause them have sic writingis as wer productit againis thair maistres, be  
"thair maistres's adversaris.-----Quhilk desyre hir  
"majestie thocht very ressonabill,-----and desyrit  
"ane extract of the said writing to be given in to  
"hir hines; quhilk the said commissiounaris did on  
"the morn (i. e. next day) deliver."

It

It will be thought by every body, that the extract of the writing, said to be delivered on the morn to Mary's commissioners, contained at least a copy of the letters produced by her adversaries; yet that was not the case.

Whatever this extract of a writing, so delivered, contained, certain it is, as shall be clearly shown hereafter, that it did not contain one word of the letters, and was only a piece of art made use of by Elizabeth and her ministers, to give a colourable answer to so reasonable a demand of Mary, which they did not chuse flatly to refuse, at the same time that they resolved not to grant. The writing thus delivered on the morn, or next day, was, in all probability, an extract of the accusation only.

It must be remembered always, that the accusation itself against the queen was in general terms, affirming, That as the earl of Bothwell was the perpetrator of the murder, so was he of the foreknowledge, counsel, and device thereof. To which the queen, by many letters from her confinement, and likewise her commissioners in her name, had given answers, denying the accusation, and endeavouring to show the improbability of it; and that Murray and Morton were themselves the authors of that murder.

So far the accusations on both sides were seemingly equal. But Murray had, in support of his charge, produced certain writings, letters written, as he affirmed, by her own hand, to the earl of Bothwell, which palpably proved her to have been privy to the king's murder. What answer, if innocent, could she make to this? This only one, surely, which she did make, That those letters were forged. She went farther, she asserted, that her accusers themselves were the forgers; and for  
this

this good reason, that it was a fact well known, that some of them could well counterfeit her handwriting, and had been accustomed so to do. She therefore desired a sight of the principal letters themselves, and also to have full copies of them delivered to her ; from which she asserted, that she would make the forgery of those pretended letters, and her own innocence, clearly appear.

On the 7th day of January, 1569, lord Herries, and the bishop of Ross, in consequence of another letter from queen Mary, which they produced, “ passed to the presence of the quene’s majestie of “ England, hir hienes’s counsell being alsua present, --- and signified, that, as their mistress was “ to answer to the accusatioun of hir subjectis, and “ alsua to prove thame to be the principal authoris and executoris of the king’s murder ; for the “ quhilk scho was fallie accusit by thame, consent to writingis presentit in her name ; thairfor they desired the writingis producit by hir obedient subjectis, or, at the least, the copies thair of to be deliverit unto thame, that thair maistres might fullie answer thair to, as scho desired. --- Which desire quene Elizabeth tuik “ to be advysit of, and promisit to gif answer “ within two or three dayis.”

One may easily imagine, that, if queen Elizabeth had truly any intention, that a fair trial and inspection of the letters should be made, and to hear if any objections could be raised to them, there could be no reason for hesitating one minute on Mary’s repeated supplication for a sight of them ; or, at the least, to have copies of them delivered to her ; without which, it was simply impossible for her, or any person alive, to make a proper answer, or to detect the forgery.

But

But this was the very opposite of queen Elizabeth's scheme and intention; to give way to a scrutiny of such precious materials; the darling instruments of her resentment against Mary, which might, perhaps invalidate those proofs, and blow them in the air; the consequence of which, as it would have been a most convincing proof of Mary's innocence, must necessarily have been a clear conviction, at the same time, of Murray and Morton's guilt. Elizabeth was therefore fully determined not to give ear to those demands. The shift she made use of, to avoid this pinching question, shows her perplexity: in place of answering Mary's request to see the letters, Elizabeth makes the following proposal to Mary's commissioners: "That it were best some appointment shuld be made between the quene of Scotland, hir guid sister, and hir subiectis: and to the effect the said quene may live in suretie in tyme cuming, and because it has bein thought that scho mislykit hir subiectis, throw thair evill behaviour toward hir, and thay mislike also hir government; it semit thairfor maid meit and convenient, that scho, as being weary of that realme, and government thairof, shuld yield up the crown and government thairof, and demit the samin favouris of hir sone the prince, --- and scho in the mean tyme to remain in this realme of England privatlie, and so the country shuld be at ane quietnes."

It is to be remembered, that when Mary's commissioners had of themselves, without any authority from her, and before Murray had produced the box and letters, proposed an accommodation between the parties, then Elizabeth had told them, "That after such an accusation, she thought it inconsistent with her sister Mary's honour and innocence to have the matter ended by appointment.

The

The reason for Elizabeth's changing her mind at this period is extremely obvious.

The answer made by Mary to this proposal of Elizabeth's, was such as a high-born spirit, conscious of innocence and oppression, could only have dictated: "Je suis resoluë et deberee plustost mourir, que de faire: et le derniere parole que je ferais en ma vie, sera d'une Roynne d'Escoffe."

The firm tone in which Mary expressed herself at this time, and her whole behaviour, shows, that she sufficiently understood Elizabeth's scheme, and that even impartiality was not to be expected from her. She was determined, notwithstanding, to vindicate her innocence; and, at the same time, to prove, that Murray, Morton, and Lethington, whom she had already publicly accused, were themselves the devisers, and some of them the perpetrators of the king's murder.

Either of these points was inconsistent with Elizabeth's plan: she had encouraged Murray and his associates, publicly, to charge their sovereign as a murderer and adulterer. She had had the address to get into her hands, what they alledged, amounted to a proof of their charge: whether these were true or not, the world would always believe them to be so, provided they were not exposed, and found to be spurious. It was therefore, high time now to dismiss Murray and his party, to avoid any discussion of their evidence, and likewise to stifle the attack made against themselves.

Upon the 11th of January, 1569, the commissioners on both sides were brought to meet in presence of the English council, where secretary Cecil, in Elizabeth's name, "declarit, that the erles of Murray, Morton, and their adherentis, wer li-



“ cencit to be the quene’s majestie to depart into  
 “ Scotland. And, because it was bruitit and  
 “ sklaunderit, that they were participant of the  
 “ murthour of the quene’s husband, --- thay desirrit  
 “ to knaw quhether thay wald accuse thame in the  
 “ quene’s name, or in thair awin names.”

The answer made by the queen’s commissioners to this was, That by a special command of their soveraign, “ by her letteris under hir signet, ---  
 “ thay were expresselie commandit to accuse the erle  
 “ of Murray and utheris his adherentis, to be  
 “ principal authouris, inventaris, doaris, and sum  
 “ of them proper exequutouris of the murthour.  
 “ Conform to the quhilk letteris, thay had alreadie  
 “ publictlie gevin in thair accusatioun in write, and  
 “ offerit thame constantlie to abide thairat, in thair  
 “ mistres’s name; and had offered alswa to defend  
 “ her innocencie, and to answer to all the calum-  
 “ nies, alledgit or producit againis hir, swa being  
 “ that scho micht have the copies of the pretendit  
 “ writtingis gevin in, publictlie or privaille, againis  
 “ the quene thair maistras; quhilkis thay have di-  
 “ vers tymes requirit of the quene’s majestie, and  
 “ hir counsal, suppois thay have not as zit obtenit  
 “ the samen: and how sone that thay ressavit the  
 “ copies thair of, scho wale answer thairto, in de-  
 “ fence of hir innocencie, and alswa particularlie  
 “ nominat and accuse such personis, being present  
 “ of thair companie, as wer guiltie of that mur-  
 “ thour; and wald verifie and pruis the samin suf-  
 “ ficientlie.”

This firmness in queen Mary’s ministers, in insisting even to have copies only of the writings, and in abiding by their accusation of Murray and Morton, was highly disagreeable to Elizabeth. We shall see she immediately took a most effectual method to dispatch this troublesome affair.

The

The very next day, " upon the 12th day of January 1568, the erle of Murray, and all his adherentis, came to the presence of the quene's majestie of Ingland, and gat licence to depart into Scotland."

This step was very well judged: by dismissing these gentlemen with their box and writings, it prevented all inspection of the original letters. And now, as to giving copies of them, a new device was tried, in order to elude even that.

On the thirteenth of January, the bishop of Ross and lord Herries are called to court, and acquainted by Cecil, " That hir majestie, quene Elizabeth, will not refuis unto the quene, hir guid sister, to give the dowbillis of all that was product; --- but with this certification, " That scho will have a special writing sent be the quene of Scottis, signet with hir awin hand, promising that scho will answer to the samin writingis and thingis laid to her charge, but ony exception."

To this it was answered on the spot by Mary's ministers, That what secretary Cecil, in his mistress's name, now required, was already done, viz. " by twa several writingis schawin and read in presence of hir majestie, (Elizabeth) and hir counsel, subscrivit with hir awin hand, and under hir signet, quhairof the extract was deliverit to quene Elizabeth herself, in the quhilk scho offerit to mak answer upon certain conditionis thairiu expremit, or at least the copies of thame."

This answer secretary Cecil, it would appear, thought sufficient. He made no reply, and, indeed, it was no wonder that he should be perplexed. The absurdity of requiring a letter under Mary's own hand, at the time when he had

seen, and was possessed of two of that queen's letters to the above purpose, shows plainly, that the intention of this last shift, which lost its aim, was only to put some colour upon a flat refusal, to allow queen Mary to see either the principal writings, or even the copies of them. Mary's commissioners were wise enough to take hold of this occasion to urge another point, viz. a complaint in their mistress's name, in respect, " That the erle of Murray, and his adherentis, quha have been publicklye accusit be the quene, --- wer licensit be the quene of England to depart the realme into Scotland, not abiding to heir the defence of the quene's hienes's innocencie, nor the tryal and pruiſ of thair detectioun, quhilk was offerit to pruiſ thame guiltie and culpabil of the samin crime; but thair being fully dimittit, and na end put unto the cause, it appeirit not thairfor meit that the quene sould mak ony furder answer, les nor hir said rebellis be stoppit, to remane within this realme, until the time that the trial tak end: and gif thay wer sufferit to depart, desirit that it might be alſwa leasum to the quene, thair soverane, and hir commissioners, to depart into Scotland, for the greit inconvenience micht follow, in cais the ane part wer permittit to pas to Scotland, and the uther detenit within Ingland; and the inequallity of dealing in that behalf is apparent."

To the quhilk it was answerit, " That the erle of Murray has promissit to the quene's majestie of Ingland, for himself and his cumpanie, to turn agane quhensoever hir majestie sould call for him or thame: bot, in the mean tyme, the quene of Scotland, thair mistres, could not be suffered to depart, for divers respects." Upon  
this

this refusal of the queen's liberty, her commissioners entered a protest.

In this manner, did Murray and Morton, with their box and letters, withdraw from the conferences in England. What afterwards became of the letters is not known. They are now lost, or have been destroyed, nobody knows how. This, however is certain, that queen Mary, notwithstanding her frequent assertions, that they were forged by her accusers, and her repeated earnest supplications, both under her hand, and by the mouth of her commissioners, to see the letters, to answer them, and prove the forgery upon Murray and Morton, could not prevail in so reasonable a request.

The preceding account of the several steps of the conferences relating to the letters, from the very words of the records themselves, is so very different from, and so contradictory to Mr. Hume's relation, in his late history, that I think it incumbent upon me, in justice to the public, to set down a short abstract of his account, so that, upon a comparison, the impartial reader may, from his own eye-sight, judge how far that gentleman has been directed by truth, in his representation of this affair.

"When the charge (says Mr. Hume) or accusation against Mary was given in, and copies of it transmitted to the bishop of Ross, lord Herries, and her other commissioners, they absolutely refused to return any answer; and they grounded their silence on very extraordinary reasons: They had orders, they said, from their mistress, if any thing was advanced that might touch her honour, not to make any defence, as she was a sovereign princess, and could not be subject to any tribunal; and they required, that

“ she should previously be admitted to Elizabeth’s  
 “ presence. They forgot that the conferences  
 “ were at first begun, and were still continued,  
 “ with no other view than to clear her from the  
 “ accusations of her enemies ; that Elizabeth had  
 “ ever pretended to enter into them only as her  
 “ friend, by her own consent, without assuming  
 “ any superior jurisdiction over her. --- As the  
 “ queen of Scots refused to give in any answer to  
 “ Murray’s charge, the necessary consequence  
 “ seemed to be, that there could be no farther  
 “ proceedings in the trial.”

If this was a necessary consequence of Mary’s  
 refusing to answer, (unless in person, Mr. Hume  
 should have added) it may be asked, How came  
 Elizabeth, notwithstanding, to proceed in the trial,  
 in absence of both Mary and her commissioners?  
 Was not this the height of partiality, in this pre-  
 tended friend of Mary, to hear her enemies by  
 themselves, or to receive any thing from their  
 hands as sufficient proof against her, upon their  
 word only? And, when she did so, ought she not,  
 in common justice, to have communicated the same  
 to Mary? But, to go on with this author’s ac-  
 count :

“ Elizabeth and her ministers desired to have  
 “ in their hands the proofs of her guilt: --- Mur-  
 “ ray made no difficulty in producing the proofs  
 “ of his charge against the queen of Scots, and,  
 “ among the rest, some love-letters and sonnets of  
 “ her’s to Bothwell, wrote all in her own hand, and  
 “ two promises of marriage to him. --- They con-  
 “ tained incontestible proofs of Mary’s criminal  
 “ correspondence with Bothwell, of her consent to  
 “ the king’s murder, and of her concurrence  
 “ in that rape which Bothwell pretended to com-  
 “ mit upon her. Murray fortified this evidence,  
 “ by

“ by some testimonies of corresponding facts ; and  
 “ he added, some time after, the dying confes-  
 “ sion of one Hubert, or French Paris, a servant  
 “ of the earl of Bothwell, who had been executed  
 “ for the king’s murder, and who directly charged  
 “ the queen with her being accessory to that cri-  
 “ minal enterprize.

“ Mary’s commissioners (says Mr. Hume) had  
 “ used every expedient to ward this blow, which  
 “ they saw coming upon them. And, finding  
 “ that the English commissioners were still deter-  
 “ mined to proceed in the method which had been  
 “ projected, they finally broke off the conferences,  
 “ and never would make any reply. These  
 “ papers have all or them been since published.  
 “ The objections made to their validity, are in  
 “ general of small force : but, were they ever so  
 “ specious, they cannot now be hearkened to ;  
 “ since Mary, at the time when the truth could  
 “ have been fully cleared, did, in effect, ratify  
 “ the evidence against her, by recoiling from the  
 “ enquiry at the very critical moment, and re-  
 “ fusing to give any answer to the accusation of  
 “ enemies.”

Let us, by way of answer, now compare the words of the record, with this gentleman’s account:

“ Hampton-Court, 25th day of December,  
 “ 1568 : the quhilk day of the bishop of Rofs and  
 “ lord Herries came to Hampton-court, whair,  
 “ in the council-chamber, thay declarit, that thay  
 “ had special command sent to thame fra the quene  
 “ thair maistres, to declair, That being advertisit  
 “ of the unnatural and ungrate dealings of hir  
 “ disobedient subjectis and rebellis, could not suf-  
 “ fer thair blasphemous and sklanderous accusa-  
 “ tiounis to pas over with silence unanswerit ;  
 “ quhan

“quhan thay thamefelfis quha did accuse hir, wer  
 “the authoris, and inverteris, and, sum of thame,  
 “executouris of the murthour : and thairfoir wald  
 “answer to thair accusatioun, in defence of hir  
 “awin innocence, and accusatioun of thame, as  
 “authoris thamefelfis of the king’s murthour,  
 “And the said commissiounis producit their writ-  
 “tingis and instructiounis, sent by thair maistres  
 “to thame to that effect. Quhilk being read be-  
 “foir hir majestie, and hir counsall, thay maist  
 “humblelie desyrit hir majestie to cause thame have  
 “sic writingis, as wer producit againis thair maist-  
 “tres be hir adversaris.”

The account that this historian has given of the  
 queen’s conduct, is directly contradicted almost in  
 every sentence by the records, which, it appears,  
 he has himself perused. At the same time it is  
 easy to perceive the poor evasion that our author  
 pretends to make for this so strange a detail, viz:  
 1. That Mary had insisted to confront, personally,  
 Murray and Morton her accusers, in presence of  
 Elizabeth, the whole English nobility, and foreign  
 ambassadors ; which Mr. Hume is pleased to  
 say, was such a request as could not be granted.  
 And, 2. That this request being refused, Mary’s  
 commissioners had protested against all further  
 procedure, on the 9th of December ; the confer-  
 ences, therefore, according to Mr. Hume, were  
 “from that minute, as he has said above, finally  
 broke off. But this is a poor shift, in which Mr.  
 Hume has followed Anderson, who breaks off his  
 collections, and gives us no more of the proceed-  
 ings of the English council after the 16th of De-  
 cember 1567.

Let it be asked, what was the basis of these  
 conferences, and the design of the parties by en-  
 tering into them ? Mr. Hume himself has told us  
 above,

and were still continued with no other view than to clear Mary from the accusations of her enemies: "Elizabeth, says he, had only entered into them as her friend, by her own consent," not assuming any jurisdiction over her."

This, it must be acknowledged, was truly the footing the conferences were on: Mary desired to be heard personally upon her defence; to confront and interrogate her accusers in presence of all the world: a demand, that will, as apprehended, be thought a most just and necessary one. Elizabeth refused it: Mary's commissioners, on so manifest a partiality, protested against all further procedure in the matter.

The conferences, however, were not broke off: On the sixteenth of December, 1567, Elizabeth "wold not be content that ony of thame (the Scots commissioners) should depart into Scotland before the end of this conference." She allowed Murray and his associates to proceed and produce the proof of their accusation, and twelve days after the protest she wrote to Mary, and advised her to make answer. This Mary had determined to do, before the date of Elizabeth's letter of the twenty-first of December; and had already written her resolution to her commissioners on the nineteenth of that month, to have inspection of Murray's proof, and doubles of all the writings, "and with God's grace, (says she) I sall mac sic answer to thair accusatioun, as my innocence sall appear, and thair guilt."

It is plain therefore, that, as the conferences were intirely founded on the consent of parties, allowing that Mary's commissioners, or that even she herself had broke them off, yet, as Murray and his associates, on their part, were still going on



on before the English council, it was still in Mary's power to resume her defence, as Elizabeth herself desired she should do; and which she did accordingly, in the strongest manner, by letters under hand and signet.

The conferences in England being ended, the original letters, said to have been written by the queen to the earl of Bothwell, were never afterwards exposed to light, queen Elizabeth having attained the double end, of blackening queen Mary, and securing the dependency of Murray's faction, broke off all further enquiry.

That copies of the letters were soon after spread abroad, is universally known; after being in the hands of Elizabeth and her council, whose great aim, through the course of their proceedings, as has been shown, was to load Mary with the crimes imputed to her by her rebellious subjects; to countenance and support them in their usurpation; and to give a specious pretence for detaining that princess a prisoner in England; it will scarce be imagined, that Elizabeth would lose the fruit of her labour, which she had, by so much industry and care, brought to maturity, by keeping locked up from the public, those pretended evidences of Mary's guilt, her love-letters and sonnets.

The originals produced were written in French, a language then as generally understood at the court of England, as it is at this day. What a fund this, of court scandal! how delicious to Elizabeth, to mortify so hated a rival, to her genius, to her beauty, to her kingdom! It will obviously occur, that Mary, by this time, when those letters must have been in every body's hands, could easily have procured copies, and made answer to them. It is not to be doubted but she must have got copies of them; but, a forgery cannot be detected from  
a copy,

a copy, and the inspection of the originals had constantly been refused her. What answer then could she make? an answer, however, she did make. The bishop of Rois, the very same year 1569, published her defence.

As to the letters, they are asserted to be forged; and that it was notoriously known, that persons about the queen had often been in the practice of forging letters in her name. They had neither date, address, seal, nor subscription. That, as they had only been collated by the queen's accusers, there was no proof that they were of her hand-writing. "The person (says the bishop) who was surmised to be the bearer, (Nicholas Hubert, or French Paris) at the time of his execution, took it upon his death, as he should answer before God, that he never carried any such letter, nor, that the queen was participant, nor of council in the cause." It appears then, that though the queen was denied a sight of the original letters, yet, under that disadvantage, she made a good answer.

There is no mention made of the letters after this, until the year 1571, when Buchanan published his libel, called "The detection of the doings of Mary," both in Latin and in the Scotch dialect. Secretary Cecil immediately took care to have it printed in England, that same year 1571. The Latin copy had affixed to it the first three letters of Mary, translated by Buchanan into that language: and the Scotch copy contained eight letters and the love verses.

In the beginning of the year 1572, at the time of the duke of Norfolk's trial, a French translation of Buchanan's detection was printed at London; to which were subjoined seven of these French letters, and the love sonnets in verse. The title  
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page bears, that it was printed "à Edimbourg le 13 de Fevrier 1572, par Thomas Waltam;" but there never was a printer in Scotland of that name.

The original letters themselves, with the silver box, delivered back to Morton, being long ago lost, this French copy of the detection, with seven of the French letters annexed to it, and the love sonnet in rhyme, has, now for these two hundred years, been looked upon, by all parties, as true copies of the originals, and underwent several editions as such.

A late writer, Mr. Walter Goodall, keeper of the advocate's library at Edinburgh, who has been particularly careful in collecting materials for the history of those times, a few years ago, published a critical examination of the letters: by comparing the three different copies of them together, he has very ingeniously shown, that those pretended letters, said to be written in French by queen Mary to the earl of Bothwell, must be spurious. His arguments may be reduced to this proposition.

The letters said to be written in French by the queen, as now extant, have, by all parties, been looked upon as true copies of the originals produced by Morton, and have, down to this time, passed uncontested as such.

Buchanan, the confidant of Murray and Morton, who attended them both at York and London, had the letters in his custody, and was so much master of their contents, that he was employed by Murray to show and explain them to the English commissioners at York, and translated the three first of them into Latin.

If then it can be shown, that, in place of the French being the originals, the Scotch copies are the  
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the true originals, and that the French are apparently translations from Buchanan's Latin, it is natural to conclude, that these French pretended originals are spurious. This Mr. Goodall has done.

By comparing the letters as they stand in the three different languages, he has, to a demonstration, shown, that, instead of the Scotch and Latin being translated from the French originals, these last are palpably a version from the Latin, and the Latin again a version from the Scotch: the Scotch is apparently original: the thoughts therein are easily and sententiously turned, and replete with phrases and proverbs peculiar to that language. These are fervently expressed in the Latin, and sometimes erroneously; and, as often as that happens, the French always adopts these errors of the Latin.

As Mr. Goodall's book is common, it will be sufficient to quote two or three examples from the first letter, and refer to his book for the rest.

1. The Scotch says proverbially, in letter first, "Thair's na receipt (meaning a prescription of phyfic) can serve againis feir." The Latin has "Nullam adversus timorem esse medicinam."

And the French is, "Qu'il n'y avoit point de remede contre la crainte."

2. Scotch, "Ze have fair going to see feik folk." Another proverbial saying.

The Latin translator has here committed no less than two blunders; he mistook the word fair (or fore) for fair, and the word feik for sic, (or such) and has translated them both erroneously in the last sense:

"Bella hujusmodi hominum visitatio." And the French copies him thus: "Voyla une belle visitation de telles gens."

3. The

3. The queen is made to say, that she was going to seek her rest till to-morrow, "quhen, (says she) I fallend my bybill," in place of her bylle, (or bill) a word used commonly at that time for any sort of writing.

The transcriber, from the resemblance of the two words, made it bybill; the Latin follows him in this absurdity, "Ego eo ut meam quietem inveniam in crastinum, ut tum mea biblia finiam;" and the French follows him thus: "Je m'en vay pour trouver mon repos jusques au lendemain, afin que je finisse icy ma bible."

It is unnecessary to trouble the reader with any more of these quotations, whereby Mr. Goodall seems to have proved undeniably, that the present French letters, instead of being the originals, are, to a demonstration, translations from Buchanan's Latin, and from the Scotch copies of the letters. He has been so successful in proving his point, that Mr. David Hume, and likewise Dr. Robertson in the dissertation on the murder of king Henry Darnley, annexed to his history, who both labour to vindicate the authenticity of the French letters produced by Murray and Morton, have been obliged fairly to acknowledge, that the French letters, now extant, are palpable translations from Buchanan's Latin and Scotch copies of these letters.

A concession the more remarkable, that it was never made before any individual on their side of the question, the present French copy being always held to be the original from the year 1572, until the day that Mr. Goodall published his detection of his pretended original, and exposed the imposture.

Mr. Hume, and his ingenious friend the author of the Dissertation, make light of this discovery of  
Mr.

Mr. Goodall, and endeavour to evade the force of it, in the following manner: "The original letters," say they, "are now lost, and we know nothing of them." I shall cite the learned dissertator's words in his answer to Mr. Goodall: "All this author," Goodall's, "premises may be granted, and yet his conclusions will not follow, unless he likewise prove, that the French letters, as we now have them, are a true copy of those which were produced by Murray and his party in the Scots parliament, and at York and Westminster: but this he has not attempted."

Mr. Goodall is obliged to the learned doctor Robertson for having done it for him in his Dissertation, by fairly acknowledging, That Buchanan made his translation not from the French, but from the Scotch copy."

This seems to carry conviction in it. The historian here ingenuously tells the truth, though, perhaps, he was not aware of the consequences. Had there been any other French letters than the present, what occasion had Buchanan for the Scotch, when he himself must have had possession of the originals? The dissertator had certainly forgot that Buchanan was actually one of the assistants appointed to the Scotch commissioners, and entrusted with the management of the whole process; and did, with Lethington, Mackgil, and Wood, a lord of the session, exhibit the original letters, and explain their contents in private to the English commissioners. Buchanan could not have lost or mislaid them, because it is evident, from Mr. Anderson's account, that those letters were translated by Buchanan at London in the time of the conferences.

The point in question is, Whether such French letters ever existed? Surely it is a fair conclusion  
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to assert, that if they did not exist with Buchanan they did not exist at all; and, if the Scotch commissioners, who were said to produce them, never saw them, no body else ever did. It cannot be pretended that Buchanan did not understand the French; he passed most of his life in that country, and taught a school there. Indeed, since the dissertator has been reduced to deny that the French letters before us are true copies of the originals, by all laws of proof and criticism, it was his business to produce these originals. But how is it possible to fix men, who, after having, for two hundred years, quoted and insisted on these letters as originals, and have even commended the elegance of their composition, on finding themselves forced to give them up, have now recourse to other letters, which they acknowledge to be lost; and now pretend to say were never seen, even by Buchanan, who was employed by the public to produce them.

It was never till this day insinuated by any of the partizans against queen Mary, that the present French letters were vitiated translations. Not even Morton himself, nor Buchanan, who lived many years after their publication, ever said so; which it was incumbent on them to have done. The silence therefore of those two persons, who had the originals in their hands, is a clear testimony to the authenticity of the present French copy, which now stands in place of the original.

That they are vitiated translations, was never pretended by any body, till Mr. Goodall, in the year 1755, detected those letters, and proved them, to a demonstration, to be so. Every body must be sensible, that the concession now made, would have come with a much better grace, had it been prior to Mr. Goodall's discovery: it therefore be-  
comes

becomes incumbent upon those, who dispute their own copies, to produce the originals themselves.

Mr. Hume will perhaps tell us again, That it is in vain, at this day, to object to the letters; they were regularly and judicially given in, and ought to have been canvassed at the time. This few will dispute with him. Had the queen remained silent at the time when Murray produced his letters, this argument would have been conclusive: but, did she remain silent on that occasion? On the contrary, she cried aloud, that her adversaries had produced forged writings against her: she prayed in vain, by repeated supplications, that they might be inspected by her or her friends; and, at last, only begged to have copies of them; and she undertook to prove the forgery.

What was the result of all this? The letters are huddled back in haste to Murray and Morton, and they are sent a packing to Scotland, with their evidence. What they did with them after that, there is no body, at this day can tell. All that is known concerning them, is, that they are lost.

The conclusion to be drawn from this, is left to every impartial person to infer, as he thinks proper.

But now, that it is said the original letters are lost, how is it possible to make good the accusation against the queen? By copies, it would appear. Let it be so. Those copies have now been examined, and detected to be vitiated, in such a manner as has extorted an acknowledgment that the queen could not have written such letters.

Any body would be persuaded to think, that here the argument must naturally conclude in favour of the queen. It is not so, however. We are told, that, although the letters now extant



cannot be said to be either the originals, or copies from the originals, yet they are translations from translations at the third hand.

“The French translator of these letters,” says the ingenious dissertator, “declares that he translated them from the Latin.” He says, indeed, that, having no manner of knowledge of the Scotch language, he chose rather to express all that he found in the Latin. That this could not comprehend all the letters, is evident from hence, that there were only three of them put into Latin by Buchanan; and the rest were in Scotch, a language which, he says, he knew nothing of. How then got he these last? But we shall show that this was only a blind, in order to disguise himself. We shall therefore endeavour to strip this English impostor of the French disguise he has chosen to cloak himself under: for which purpose it is necessary to trace back the history of those French letters.

It has been shewn already, that, in the year 1571, Buchanan published his libel, called *Detectio Mariæ*, both in the Latin and Scotch languages; to which he subjoined, in the Latin language, a translation of the three first French letters, and all the eight letters in the Scotch language.

The very next year, 1572, about the time of the duke of Norfolk's condemnation, and while a treaty was carrying on between Elizabeth and the king of France, it was proper to publish a translation into French of the detection, with all the letters, which, being said to be originally written by the queen in French, were surely printed verbatim from the originals. To suppose otherwise, that these letters, printed and published along with the French translation of Buchanan's *Detectio*, were translations done into French from the three let-

ters published by Buchanan in Latin, appears to be quite incredible. For these letters, after being produced both in Scotland and England, in the years 1567, 1568, 1569, and 1571, with the well known care and industry shown by Elizabeth and secretary Cecil, in promulgating every scandal against queen Mary; and, for that very purpose, using every means to give credit to Buchanan's books, must have made the French letters, said to be written by Mary, very common and in every body's hands. It is therefore contrary to all human probability to suppose that this French translator of the Detection, published in London, or where you will, could not procure a copy of the French letters themselves, to annex to his book; but was so hard put to it, that he even translated the letters himself into French from those in Latin published by Buchanan. Yet, improbable as this is, let us suppose it to be the case; still it will not answer.

This publisher of the French detection has averred, That he had no knowledge of the Scotch language, and therefore chose to express all that he found in the Latin. But Buchanan translated only three of the letters into Latin: from what hand, therefore, did this supposed Frenchman procure the other four letters in French? For he published seven of them produced by Murray and Morton. Will it be said, that, after finding he could not procure copies of all the original French letters, he translated the three first letters from Buchanan's Latin version; and, for the other four, he had recourse to some friendly Scotchman, who translated these into Latin, from which the Frenchman translated them again into French, in the shape they now stand? This appears highly absurd and improbable.

But even to make this ill-contrived tale go down, he tells a downright falshood. He says that all the French letters were translated into Latin, from which language he chose to translate all that he found. From all which it seems pretty evident, that the affected disguise and lies of this impostor, were contrived to make us believe, that this book was not printed in London.

But, after all this, it may be asked, Wherefore all this contrivance; this studied disguise and imposture? No body is at pains to tell lies, or disguise the truth, but for some end or other. This will not be very hard to account for.

We have already detected this publisher in a gross falshood in the title of his book, that it was printed at Edinburgh (a Edimbourg) by Thomas Waltham, where there never was such a printer: and likewise in another, in asserting that the whole seven French letters were entierement traduites en Latin. As he has, therefore, studiously concealed the place where his book was published, it is only from circumstances that this matter can be found out.

In the year 1571, negotiations between the English and French courts were on foot, touching the duke of Anjou's proposal for marrying queen Elizabeth. Mary had always a minister at the French court, soliciting her release from the hands of Elizabeth: and, at this very period, her relation, the duke of Guise, by obliging Colligni to raise the famous siege of Poitiers, was in the height of glory and power at that court. It therefore became necessary for Elizabeth to defeat those solicitations of Mary, by giving plausible reasons for detaining in prison that princess; and, above all, to expose her conduct to the princes on the continent in the blackest colours.

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With regard to the English nation, Elizabeth had sufficiently accomplished the above measure, by publishing several English editions of Mary's letters, and George Buchanan's Detection.

But these books were confined to England. Besides, being in the Latin, and Scotch or English languages, in order to answer the present purpose of diffusing the libel against Mary through Europe, it became necessary to have it translated into the French language, then more generally understood upon the continent. Another accident, which fell out about the same time, concurred to promote this design.

The duke of Norfolk having renewed his proposals of marriage to queen Mary, and joined with her in soliciting the king of Spain to restore her to her own dominions, that whole affair was discovered: the duke was brought to his trial, and condemned for high-treason, on the twelfth of January, 1572. But, as that nobleman was extremely beloved by all ranks in the kingdom, and had great connections abroad, it was thought proper to respite his execution till May thereafter; and, in the interim, to pave the way by showing the expediency of it, from his connections with Mary, that dangerous rival! and, likewise, to expose that queen, particularly to the court of France, at a time when the treaty between Elizabeth and Charles was in agitation.

The instructions given by Elizabeth to her minister at the court of France, are in these words: "It were not amiss to have divers of Buchanan's little Latin books to present, if need were, to the king, as from yourself; and to some of the other noblemen of his council, for they will serve to good effect to disgrace her."

To answer these purposes, the French translation of Buchanan's Detection, with the letters subjoined, seems to have been made. Had it been only calculated for the meridian of France, and to expose queen Mary, no more was necessary to be printed than only the French Detection, with the original letters. But what plainly shows that this book was manifestly designed to serve another turn, as well in England as abroad, is the book itself: there is annexed to it a treatise, entitled "Sommaire de conspirations faites par la roynne d'Ecosse contre la personne et l'estat de la roynne d'Angleterre." This treatise is no other than a libel against the duke of Norfolk and Mary; and, by its date on the last leaf, appears to have been finished on the thirteenth of February, 1572, just a month after the duke's condemnation.

There is likewise another piece of evidence, which seems to put the matter out of all doubt, that this book was printed at London.

In the above treatise, or Sommaire, mentioning persons who had been condemned and executed for treason, instigated, as is alledged, by Mary; it is said, "Entre lesquelles au commencement de cette anne 1572, estoit unne Anglois nomme Mather,---avec un autre nomme Barn."

These men we know for certain were executed at London on the eleventh of February, 1572, and the book was finished at the printing-house, "Achevee d'imprime le 13." of February that year. It is impossible, therefore, that a book, printed any where else than in London, of that date, could give an account of executions which happened there only two days before.

There is one way to evade the force of this last evidence, by saying, that, as the place of printing  
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is disguised, the date may be so too. Many reasons may be assigned for not avowedly printing, in London, so inflammatory a libel against the first and greatest peer of the realm, a man in such general estimation as the duke of Norfolk then was, and at so critical a time, as when he lay under condemnation. But, wherever the book may have been printed, no reason can be framed for imagining the date to be any other than what it now bears.

We have already stated and obviated one general observation of Mr. Goodall's, that, as the place of printing this French edition is fictitious, the date may be so too. To prove that it was printed in France, he has produced the testimony of two French writers. The first is Blackwood, who says, " Buchanan a depuis adjousté aceste declamation " un petit libelle du pretendu mariage du duc de " Norfolk, et de la facon de son proces, et le tout " envoye aux freres a la Rochelle, lesquels voyants " quil pouvoit servir a la cause, l'ont traduit en " François, et iceluy fut imprimee a Edimbourg, " c'est a dire, a la Rochelle, par Thomas Waltam, " nom aposté et fait a plaisir."

The other testimony is the author of L'Innocence de Marie, who says, the Detection " pre-  
" erement compose par George Buchanan, et de-  
" puis traduit en langue Françoisé par un hugue-  
" not, Poitevin Camuz." The dissertator should have taken in the whole account which this last author gives of the history of this detection; which defect we shall endeavour to supply: " Li-  
" belles diffamatoires, espars et publiez par tout:  
" nemmement un, imprime du 17. Februrier,  
" 1572, envoye secrettement, et a cachette expose  
" par la France, contre celle Royne d'Ecosse, & le  
" duc sus-nomme, lors que le roy tres-chrestien,  
Z 4 " prescher

“treſcher frere, & ancien alie de ceſte princeſſe  
 “captive, eſtoit ſur le traite d’un ligue avec la  
 “royne d’Angleterre.”

This laſt testimony ſeems to be directly againſt the diſſertator. The author ſays, indeed, that the Latin *Detection of Buchanan* was translated into French by one Camuz. Nobody will diſpute that it was ſo; but it ſays nothing of the place where it was printed. On the other hand, by the words “*Envoye ſecrettement, et expoſe par la France,*” it is plain, that, according to this author, it was not printed there, but was ſent thither afterwards, and diſperſed through that kingdom from its lurking holes. Blackwood, indeed, on account of the diſguiſed title, conjectures that it was printed by the Huguenots at Rochelle to ſerve their cauſe.

This libel againſt the duke of Norfolk, a zealous proteſtant, could no way ſerve the cauſe of the French Huguenots? However, the diſſertator has furniſhed two very good evidences of his own chuſing, to aſcertain a fact which is very material in this enquiry. This fact is, that Buchanan, who was the original author of the *Detection Mariae*, and translated the ſame into the Scotch language, with the addition of the letters and verſes, for the benefit of the two kingdoms of Scotland and England, had likewise a ſhare in this French edition, whether printed in London, or ſent to his brethren at Rochelle.

Since, therefore, the ingenious diſſertator has produced thoſe two witneſſes, “*whoſe testimony,*” to uſe his own-words, “*muſt outweigh a*” “*ſlight conjecture,*” they ſhould by no means be rejected. One thing he muſt allow, however, that their testimonies may be taken as they ſtand, without retrenching any part of them.

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That being granted, the next thing to be considered, is, Whether the authorities already recited prove, that the French edition of the Detection and letters, was printed in London? Or, e contra, That the declarations of the French witnesses preponderate, and prove them to have been printed in France?

But this author assures us, that the testimony of those Frenchmen outweighs all conjecture. They must therefore be relied upon; and they, at least Blackwood says it, were translated and printed at Rochelle. If that is the case, who furnished them with the materials for this translation?

The same Blackwood says expressly, That Buchanan sent the whole to his brethren at Rochelle. Now, if Buchanan sent the whole, as Blackwood affirms, he certainly would send a faithful copy of the original French letters, which all the world knows him to have been possessed of.

In either case, therefore, whether those French letters be allowed to have been printed at London, or in France, there is clear evidence, that the publisher must have printed them from the originals. If in London, there they were in every body's hands; and Cecil, Elizabeth's secretary, must have managed the affair. If in France the learned dissertator has proved, that Buchanan sent them over to his friends at Rochelle.-----Had our ingenious author attended to these circumstances, he would certainly have saved his labour, in adducing his French witnesses to prove a very material fact, which overturns his whole hypothesis.

This gentleman made use of another argument to prove his favourite point, of the French letters being only translations.



“ In the Scotch translation,” says he, “ there was prefixed to each letter two or three sentences of the original French, which breaking off with an &c. the Scotch translation of the whole followed.----- The French editor,” continues he, “ observing this, foolishly concluded, that the letters had been written partly in French, partly in Scotch.”

In answer to this, we have already shown, that nothing can be founded on what this French editor, or Englishman rather in a French dress, says, with a plain design to impose on us. But, to imagine that he was either ignorant or foolish in this affair, will not easily pass.

Next, our author endeavours to support this argument of his, by showing, that, on comparing those few French sentences on the head of the letters, with those parts of the French letters that follow them, it will plainly appear, that the sentences, by the spirit and elegance in them, are the only remaining parts of the original French, as written by the queen; and what follows them, are only servile translations from the Latin version of Buchanan. To prove this, our learned author gives some few examples. For instance :

“ The sentence,” says he, “ in the beginning of the first letter, has these words : *Veü que ce peüt un corps sans cœur.*— The Latin is, *Cum plane perinde essent atque corpus sine corde.*”

“ There is a spirit and elegance in the French,” says our author, “ which is not in the Latin.” How far the remark is just, or not, is scarce worth while to controvert. If there is either spirit or elegance in the sentence, it obviously lies in the thought, not in the words or expression; in the antithesis of “ a body without a heart,” which  
seems

seems to be as happily expressed by *corpus sine corde*, as by *corps sans cœur*; whence it is difficult to say which is most original.

But, it must be acknowledged, that in one or two instances, which he gives from these sentences, there seems to be a happier turn of phrase than in the Latin. But still this only shows, what every man of reading must daily have observed, that the most wretched and dull translation, in some particular sentences scattered through it, may even surpass the original in the turn of a phrase, which may be more owing to the language, than to the translator's merit. And the truth of this proposition may even be shown from the parts of those very French letters, which our author allows to be palpable translations. A few examples may not be unacceptable to the reader.

“Vint a moy un gentilhomme envoye par le conte de Lenos.” The Latin expresses it thus : “*Homo honesto loco natus a comite Leviniae ad me venit.*”

LETTER I. The queen is made to say, “I see na uther gentilman bot thay of my company.”

“Je ne voy aucuns de la noblesse outre ceux de ma suite.”

“*Nullos præterea nobiles video præter meos comites.*”

LETTER I. The king, in excusing himself, is made to say, “I am young.”

“Je suis jeune.”

“*Ego sum adolescens.*” --- How like a school-boy is this expressed in the Latin! which, by the bye, does not convey the meaning of the sentence, which more properly might have been rendered thus : “*Adhuc juvenis sum.*”

It

It will be readily granted, by every man of learning, that, in the above instances, there is a much easier turn of phrase in the French translation, than in the Latin; which proves no more than what is said above, that, in some scattered sentences, a poor and low translation may express the thought better than the original. Mr. Goodall's critical observations on the letters, are, however, quite of another sort: he has shown, by many instances, that the Scotch are the real originals; that, in transcribing them, some errors, such as bylle for bylle, have been made which have been followed by the Latin translator, who makes it biblia, and the French, said to be the original of all, follows the error of the Latin, and translates it bible.

In the same manner, the Scotch word *irkit* (i. e. weary) has been erroneously, from its similarity, read *nakit*, translated *nudata* in the Latin, and by the French *nue* after the Latin, tho' it makes the sentence apparently nonsense. But it is unnecessary to add any thing farther on this subject; since both our author, and Mr. David Hume, the other combatant for the authenticity of the letters, do plainly acknowledge, that Mr. Goodall has proved the present French letters to be direct translations from the Latin.

There remains one argument more to answer, which is used by Mr. Hume: The present French letters, he acknowledges, are professedly done from the Latin; no body can dispute, that the Latin is a translation from the Scotch.

"But, (says Mr. Hume) it appears, that the Scotch itself is only a translation from some other French original, which we have now lost." What a strange process have we here? all to show, that the publisher of the present French letters could not, for his heart, procure so much as a  
copy

copy of the original French letters to print with his book, although these pretended originals must have been in every body's hand at that time; and therefore, to supply that defect, he translated his French letters from the Latin, which was a translation from the Scotch, which last was a translation from a certain French original; which, according to this hypothesis of Mr. Hume, is lost, and we know nothing about it.

Mr. Hume's proof of all this, namely, that the Scotch is not the original, as Mr. Goodall affirms, is, because this Scotch copy of the letters, says he, abounds with Gallicisms, and French words: such as "Make fault, faire des fautes; --- make it seem that I believe, faire semblant de le croire; --- this is my first journey, c'est ma premiere journee, &c."

From these instances he infers, in a very decisive manner, that the Scotch letters are not originals, but translations from a French original.

The answer to this is, that any person, conversant with the language and writings in queen Mary's time, and even after that period, will see, that from the long and continued intercourse and connection between the Scotch and French nations at that time, the Scotch language abounded with Gallicisms, and even with French words; some of which, though now almost worn out in our writings, yet remain to this day in our language, especially among the vulgar.

Mr. Hume himself, and every other Scotchman, knows well what the vulgar mean by giving a bonaille, boneallee, or departing pint; also, in the same sense, giving one's foy. --- To give a benison, or blessing, is still a vulgar phrase; and the beggar's bennison, which gives title to a very numerous society in Scotland, is universally known.

Old

Old people still give the name of *montre* to a watch; and a *jardelou*, or *gar de Peau*, is pretty well known in Edinburgh, even at this very day.

The writings of those times furnish other examples: In the earls of Huntley and Argyle's protestation, Lethington says, "Tak you na care, we sal fynd an moyen to make her quit of him." -- Queen Mary, in answer to Murray and Morton's accusation against her, says, "They have 'mechautlic slanderit her."

Secretary Lethington, confessedly the best Scotch writer of that time, in his letter to Cecil, the English secretary, uses the word *appuy*, for support.

Sir James Melvil's *Memoirs*, page 184, "O. thers of the finest of them persuaded the regent." By the word *finest*, in this place, is meant the most subtle, cunning, or penetrating genius, from the French words *fin* and *finet*, a cunning or subtle man; a word not known or used, either in writing, or common speech, at this day.

In the very next page of Melvil: "He desired the accusation to be rendered up to him again. And secretary Cecil uses this phrase, "And because it was bruited, i. e. runnoured." See page 135.

There are a few of many instances that easily occur, which may be sufficient to show Mr. Hume, that Gallicisms and French words abounded in the language; and also in the original Scotch writings in those days, as well as in the letters he mentions. Whence the inference he is pleased to make, that the Scotch letters are, for that reason, no originals, but translations from some other French originals, must fall to the ground.

BUT

But further, there appears in the Scotch copy of the letters, a spirit, and so happy a turn of phrase, altogether peculiar to that language, and so very different from the languor, baldness of expression, and servility of both the French and Latin copies, that plainly denotes the first to be altogether original in every sense. This will abundantly appear from a few phrases of the first letter only.

“A gentleman of the earl of Lennox came and made his commendatiouns to me.” This phrase is still used in the Scotch language, to signify, he presented his compliments.

“This speech was of his awin head, without ony commission.”

“There is na receipt can serve againis feir.” --- A proverb.

“He hes ever the teir in his eye.”

“Fals race --- they hae bene at schullis togidder.”

“He hes almaist flane me with his braith.”

“Ye have fair going to see sick folk.”

“He gave me a check in the quick.”

“Excuse that thing that is scriblit.”

These few examples of proverbial sentences and phrases, peculiar to the Scotch language, and to which the French have nothing similar in their language, are sufficient to show, that this Scotch copy of the letters, is not only the original of the three copies of the letters still extant, but likewise, that it is not a translation at all, but a true original in every sense.

Both Mr. Hume and the dissertator have fairly acknowledged, that this Scotch is the original of the three copies extant of these letters. If, not-  
with-

withstanding, Mr. Hume will still maintain, that this Scotch copy may, for all this, be a translation from some other French original; that original should be produced, or, at least, it should be made appear, that there has existed other French letters besides the present copy; and how this other supposed original came to be lost, after being in every body's hands, both in Scotland and England, otherwise his bare assertion must go for nothing.

The learned Dr. Robertson, in the dissertation annexed to his history, having, on his part, made a very accurate examination of the letters; from thence he concludes, both from the external and internal circumstances attending them, that they are genuine: it is but justice, therefore, to exhibit to the reader an abstract of that gentleman's observations.

The external proofs of the genuineness of Mary's letters, (says the dissertator) are,

1. Murray, and his adherents, affirmed, upon their word and honour, that the letters were written with the queen's own hand.

2. The letters were produced in the regent's parliament, and are mentioned in the act against Mary, as the chief argument of her guilt.

3. They were shown privately to the duke of Norfolk, earl of Suffex, and sir Ralph Sadder, Elizabeth's commissioners at York, who considered them as genuine.

4. They were, by Elizabeth and her ministers, believed to be genuine: they laid them before the English council, who, on comparing them with other letters of Mary, believed them to be genuine.

A. The

5. The earl of Lennox and his lady believed Mary guilty of the murder.

Next with regard to the internal proof of the genuineness of these letters, we may (says Dr. Robertson) observe :

“ 1. That, whenever a paper is forged with a particular intention, the eagerness of the forger, to establish the point in view, his solicitude to cut off all doubts and cavils, and to avoid any appearance of uncertainty, always prompts him to use expressions the most explicit, and full to his purpose.

“ The passages foisted into ancient authors, by heretics in different ages ; the legendary miracles of the Romish saints ; the suppositious deeds in their own favour, produced by monasteries ; the false charters of homage, mentioned vol. i. p. 11. are so many proofs of this assertion. No maxim seems to be more certain than this, that a forger is often apt to prove too much, but seldom falls into the error of proving too little.

“ The point which the queen’s enemies had to establish, was, That as the earl of Bothwell was the chief executor of the horrible and unworthy murder perpetrated, &c. so was she of the foreknowledge, counsel, device, persuader, and commander of the said murder to be done.” Good. vol. ii. p. 207.

“ But of this there are only imperfect hints, obscure intimations, and dark expressions in the letters ; which, however convincing evidences they might furnish, if found in real letters, bear no resemblance to that glare and superfluity of evidences which forgeries commonly contain. All the advocates for Mary’s innocence, in her  
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“ own age, contend that there is nothing in the  
 “ letters which can serve as a proof of her guilt.  
 “ Lesley, Blackwood, Turner, &c. abound with  
 “ passages to this purpose ; nor are the sentiments  
 “ of those in the present age different.

“ Yet still it might have been expected (says her  
 “ latest defender) that some one or other of the  
 “ points or articles of the accusation should be  
 “ made out clearly by the proof. But nothing of  
 “ that is to be seen in the present case. There is  
 “ nothing in the letters that could plainly show  
 “ the writer to have been in the fore-knowledge,  
 “ counsel, or device of any murder, far less to  
 “ have persuaded or commanded it ; and, as little  
 “ is there about maintaining or justifying any  
 “ murderers.” Good. vol. i. p. 76.

“ How ill advised were Mary’s adversaries to  
 “ contract so much guilt, and to practise so many  
 “ artifices in order to forge letters, which are so  
 “ ill contrived for establishing the conclusion they  
 “ had in view ? Had they been so base as to have  
 “ had recourse to forgery, is it not natural to  
 “ think, that they would have produced some-  
 “ thing more explicit and decisive.

“ 2. As it is almost impossible to invent a long  
 “ narration, consisting of many circumstances, and  
 “ to connect it, in such a manner, with real facts,  
 “ that no mark of fraud shall appear ; for this rea-  
 “ son skillful forgers avoid any long detail of cir-  
 “ cumstances, especially of foreign and superflu-  
 “ ous ones, well knowing, that the more these  
 “ are multiplied, the more are the chances of de-  
 “ tection increased. Now Mary’s letters, espe-  
 “ cially the first, are filled with a multiplicity of  
 “ circumstances, extremely natural in a real cor-  
 “ respondence, but altogether foreign to the pur-  
 “ pose of the queen’s enemies, and which it would  
 “ have

“ have been perfect folly to have inserted, if they  
 “ had been altogether imaginary, and without  
 “ foundation.

“ 3. The truth and reality of several circum-  
 “ stances in the letters, and these too of no very  
 “ public nature, are confirmed by undoubted col-  
 “ lateral evidence. Letter I. Good. vol. ii. p. 1.  
 “ The queen is said to have met one of Len-  
 “ nox’s gentlemen, and to have some conversa-  
 “ tion with him. Thomas Crawford, who was  
 “ the person, appeared before Elizabeth’s com-  
 “ missioners and confirmed, upon oath, the truth  
 “ of this circumstance. He likewise declared, that  
 “ during the queen’s stay at Glasgow, the king  
 “ repeated to him, every night, whatever had  
 “ passed, through the day, betwixt her majesty  
 “ and him, and that the account given of these  
 “ conversations in the first letter, is merely the  
 “ same with what the king communicated to him.  
 Good. vol. ii. p. 245.

“ According to the same letter, there was much  
 “ discourse between the king and queen concern-  
 “ ing Mynto, Hiegait, and Walcar.” Good. vol.  
 ii. p. 8. 10, 11.

“ What this might be, was altogether unknown,  
 “ till a letter of Mary’s, preserved in the Scotch  
 “ college at Paris, and published by Keith, pref.  
 “ p. vii. discovered it, to be an affair of so much  
 “ importance, as merited all the attention she  
 “ paid to it at that time. It appears, by a letter  
 “ from the French ambassador, that Mary was  
 “ subject to a violent pain in her side,” Keith. *ibid.*

“ This circumstance is mentioned, Let. II.  
 “ p. 30. in a manner so natural, as can scarce be-  
 “ long to any but a genuine production.”

“ 4. If we shall still think it probable to sup-  
 “ pose, that so many real circumstances were art-

“ fully introduced into the letters by the forgers,  
 “ in order to give an air of authenticity to their  
 “ production ; it will scarce be possible to hold the  
 “ same opinion concerning the following parti-  
 “ cular. Before the queen began her first letter  
 “ to Bothwell, she, as is usual among those who  
 “ write long letters concerning a variety of sub-  
 “ jects, made notes, or memorandums of the par-  
 “ ticulars she wished to remember ; but, as she  
 “ sat up writing during a great part of the night,  
 “ and after her attendants were asleep, her paper  
 “ failed her, and she continued her letter upon the  
 “ same sheet on which she had formerly made her  
 “ memorandums. This she herself takes notice  
 “ of, and makes an apology for it : ‘ It is late ; I  
 “ desire never to cease from writing unto you, yet  
 “ now after the kissing of your hands, I will end  
 “ my letter. Excuse my evil writing, and read it  
 “ twice over. Excuse that thing that is scribbled  
 “ for I had no paper yesterday, when I wrote that  
 “ of the Memorial.” Good. vol. ii. p. 28.

“ These memorandums still appear in the mid-  
 “ dle of the letter ; and, what we have said seems  
 “ naturally to account for the manner how they  
 “ might find their way into a real letter. It is  
 “ scarce to be supposed, however, that any forger  
 “ would think of placing memorandums in the  
 “ middle of a letter, where, at first sight, they  
 “ make so absurd and so unnatural an appear-  
 “ ance. But, if any shall still carry their refine-  
 “ ment so far, as to suppose that the forgers were  
 “ so artful as to throw in this circumstance, in  
 “ order to preserve the appearance of genuineness,  
 “ they must at least allow, that the queen’s ene-  
 “ mies, who employed these forgers, could not be  
 “ ignorant of the design and meaning of these  
 “ short notes and memorandums ; but, we find  
 “ them

“ them mistaking them so far, as to imagine, that  
 “ they were the credit of the bearer, i. e. points con-  
 “ cerning which the queen had given verbal in-  
 “ structions.” Good. vol. ii. p. 152.

“ This they cannot possibly be ; for the queen  
 “ herself writes with so much exactness concerning  
 “ the different points in the memorandums, that  
 “ there was no need of giving any credit or instruc-  
 “ tions to the bearer concerning them. The me-  
 “ morandums are indeed the contents of the letter.”

“ 5. Mary, mentioning her conversations with  
 “ the king about the affair of Mynto, Hiegait, &c.  
 “ says, ‘ The morne [i. e. to-morrow] I will speak  
 “ him upon that ;’ and then adds, As to the rest  
 “ of Willie Heigait’s, he confessit it ; but it  
 “ was the morne, [i. e. the morning] efter my cum-  
 “ ming or he did it.” Good. vol. ii. p. 9.

“ This addition, which could not have been  
 “ made till after the conversation happened, seems  
 “ either to have been inserted by the queen into  
 “ the body of the letter, or, perhaps, she having  
 “ written it on the margin, it was taken thence in-  
 “ to the text. If we suppose the letter to be a real  
 “ one, and written at different times, as it plainly  
 “ bears, this circumstance appears to be very na-  
 “ tural ; but no reason could have induced a for-  
 “ ger to have ventured upon such an anachronism,  
 “ for which there was no necessity.”

Such are the arguments used by the dissertator  
 in support of the genuineness of the letters ; to  
 which the following objections may be made :  
 and first, with respect to what the dissertator calls  
 “ his external proof, all his arguments may be  
 thus shortly answered.

That Murray, Morton, and their party, the  
 queen’s accusers, produced certain letters in their

secret council and parliament, and afterwards in England before queen Elizabeth and her council, and asserted them to be genuine, is universally known. And likewise it must be remembered, that the exhibition and collation of those letters, was made entirely by the accusers themselves: and that, upon Mary's asserting them to be a forgery, and, with the utmost sollicitude, supplicating for an inspection of the letters themselves, from which she offered to prove the forgery; or, at least, to have copies of them delivered to her; that this request was refused: and, to stop all further questions, that those gentlemen, Murray, Morton, and their other associates, were directly sent to Scotland with their box and letters, which never afterwards saw the light. The internal proofs of the authenticity of the letters come next under consideration.

1. That the eagerness of a forger would have naturally hurried him on to make the letters quite explicit, with regard to Mary's accession to the king's murder, of which only dark hints are given in the letters: whence Lesly, and others of the queen's friends, have inferred, that the letters are no proof of the crimes alledged against her.

It is answered, that the observation may hold good in some cases; and, if the letters in question had been the manufacture of one single person, it is very possible he might have run into the same extreme. But let it be considered, who are the supposed actors in this scene, Murray, Morton, secretary Lethington, and George Buchanan, a junto; which it will be difficult to parallel in any nation, or at any time together. Can rashness, or want of capacity, be imputed to such a knot of politicians? Yet let it be supposed that even they might err, one instance has been already produced,  
where,

where, in all probability, the compilers of the letters did err, and were hurried on by this eagerness, so common to forgers, to wit, in making these letters, at their very first appearance in the secret council, bear the queen's subscription, which, upon cool reflection, to such "foul and abominable matter, to be either thought of or written by a prince," would render the whole suspicious: they therefore wisely stifled their first production, almost in its birth, and, in every after appearance of this suppositious foundling, they chose to exhibit him anonymous.

In this they well enough foresaw there could be no danger: they knew that the contents of the letters, with their account of the way by which they came into their possession, lame as it was, would answer all the purposes they intended before so well disposed a judge as Elizabeth.

It shews no great impartiality in the dissertator, to use an argument from the mouths of queen Mary's friends against herself, as if they had pleaded that the letters were not conclusive. It is impossible, that the most innocent of mortals, could treat any indignity offered them, with greater detestation and resentment, than the queen herself has done Murray's accusation, in all her letters to Elizabeth, and her own commissioners, laid before the English council. What other than a consciousness of her own innocence, and the most sensible feelings of the indignity done to her character, could have made this princess, a sovereign and crowned head, insist to be brought personally herself, in presence of queen Elizabeth, her nobility, and foreign ministers? What was in the power of innocence and invention to do more, to wipe off so foul a stain? She has, at the same time, in the strongest language, asserted the letters to be

forged by Murray and his instruments, and that she would prove the same:

Eloquent as her two recent antagonists are, they will hardly undertake to deny any imputation in more expressive terms, than bishop Lesly has made use of in defence of the queen, in his answer to Murray's accusation and pretended proofs. If, at the same time, his zeal makes him throw out some weak arguments in defence of his mistress, surely her cause cannot suffer upon that account.

Second and third arguments, That the contents of the letters are natural; and the truth of the circumstances mentioned therein, proved by other collateral evidence.

In answer to this, Let us consider the plan that the supposed manufacturers of the letters must necessarily have followed in their work. They were to write letters, as from the queen at Glasgow to her paramour, Bothwell, in Edinburgh; which, by certain passages in them, should indicate a criminal correspondence between the queen and Bothwell; and these to be interwoven with certain other incidents, relating to herself and other persons; and occurrences that really happened while the queen was at Glasgow.

The first thing to be done in prosecution of this plan, must surely have been to get good information of the queen's situation at that time; of what persons were about her, and what occurrences then happened in her presence. For compassing all this, they could be under no difficulty. Murray, Morton, and Lethington, were all of them, at that time, in the queen's confidence: Lethington was her secretary: none of them, therefore, could be ignorant, that she, at that time, was troubled with a pain in her side. Besides, as the earl of Lennox's people were then in the house about the  
king's

king's person, particularly Thomas Crawford, the person mentioned in the first letter, they must easily have known every thing that happened to the queen, or in her company, at Glasgow, only a few months before.

This Crawford was brought before the English commissioners, as a witness for the truth of some of these circumstances mentioned in the letters, which probably were all very true, as no doubt his declaration also was ; and yet can be no evidence that the letters were not forged. For, is it to be doubted, that this Crawford, who was sent by the earl of Lennox as a spy upon the queen, during her stay with the king at Glasgow, (and who declared, that the king told him every night, every article of the conversations that passed between the queen and him) would again faithfully relate all that passed, not only to his master Lennox, but also to others. The contrivers of the letters, then, could not possibly meet with a proper person than this very Crawford, to inform them of these occurrences and conversations, and afterwards to give testimony to the truth of his own narrative.

It is proper, however, to observe upon this head, that a more just and well-founded ground of suspicion cannot arise, than from an over-exact and minute concurrence of witnesses, in every particular : such precise agreement must always appear to be studied, and presupposes a collusion. To apply this to Crawford's testimony in the case before us.

The queen, in her first letter, is made to recite to Bothwell, according to her remembrance, what passed in several conversations between her and the king at Glasgow. The king, according to Crawford's testimony, we must suppose, minutely



nutely repeated every circumstance of those very conversations to Crawford, agreeing exactly with what was written by the queen herself in her letter to Bothwell: and, lastly, we must again suppose this Crawford to have been endued with so happy a memory, that, at the distance of two years, he could recollect every particular in these conversations, and give his oath to the truth of them. But, as a help to his memory, and to remove suspicion on that account, Crawford has said, that, to the intent he might report the conversations again to his master, Lennox, he immediately wrote the same word for word.

It may not improperly be asked, Why this exactness, to write down what he could tell Lennox, who was himself at Glasgow, by word of mouth the next minute? And, for what end did he keep these writings by him, after he had told them to Lennox? From inspiration, or foresight, no doubt, that some years after he would be called upon to repeat over again these conversations before queen Elizabeth and her council, to give faith to letters which, at the time that he set down his notes, did not exist.

These observations must justly render this noted person's testimony extremely suspicious: but, on the whole, let his evidence be allowed to be strictly true; still, for the reasons given, it can be no proof that the letters were not spurious.

On this article the dissertator has unfolded a mighty mystery, in the affair mentioned so often by the queen in the first letter, concerning Mynto, Hiegait, and Walcar, which the dissertator is pleased to say was wholly unknown, till a letter of the queen's, to the archbishop of Glasgow, published by Keith, discovered it to be an affair of importance.

It

It appears, indeed, by the queen's letter to the archbishop, that this affair was truly a matter of great importance : but that it was altogether unknown, until discovered by a letter published by Mr. Keith, is directly contrary to the very words of the letter in question. The queen thus writes to the bishop :

“ A servant of zouris, William Walcar, came  
 “ to our prefens---at Sterveling, and---declarit to  
 “ us, how it was---opinly bruided,---that the king,  
 “ by the assistance of sum of our nobility, suld tak  
 “ the prince our sone and crowne him ; and, be-  
 “ ing crownit, his fader suld tak upon him the go-  
 “ vernment :---that Walcar being preffit, he no-  
 “ minat William Hiegait, als wa zour servant, for  
 “ his chief author.-----Quhairupon we tuke occa-  
 “ sion, with diligence, to send for Hiegait, quha  
 “ being inquirit in our counsell, of his communi-  
 “ cation had with Walcar, he denyit, as well  
 “ apairt, as being confronted togidder,---onlie he  
 “ confessit, that he hard of a bruit how the king  
 “ suld be put in ward.”

This letter from the queen is dated the twentieth of January, 1567, a day or two before she is said to have gone to Glasgow.---Now, as we see, this story was openly spread abroad, before it had come to the queen's ears ; and that she had ordered these two men, the supposed authors, to be examined before her council, of which Murray, Morton, and secretary Lethington were members at that time, and therefore must have known every circumstance relating to it : Is it possible that this affair, as the dissertator affirms, could be altogether unknown ?

His fourth argument, as to the notes and memorandums in the middle of the first letter.

The

The ingenious dissertator looks upon the following discovery as an unanswerable proof of the genuineness of the letters: the queen is made to say, "Excuse that thing that is scriblit, I had na paper yesterday when I wrait that of the memorial." "For lack of paper then," says he, "she was obliged to continue her letter on a separate paper, upon which she had written down her notes and memorandums; which is a circumstance that no forger could possibly have thought of."

I own this observation is ingenious, and shows with what attention the acute dissertator has scrutinized this matter. But, high as my opinion is of this gentleman's penetration, I cannot give him the preference to his friends Murray, Morton, secretary Lethington, and Buchanan, whose talents for conducting so dark an affair could not be exceeded by any person.

To make out his argument, therefore, we must believe, as the dissertator tells us, that the above four sage politicians, who were possessed of the letters, and knew every circumstance that is mentioned in them, or relating to them, and so recent as within a few months of their supposed date, were so utterly ignorant of their contents, as to make a blunder in explaining their meaning to the commissioners at York; which blunder this ingenious gentleman, at the distance of two hundred years, has now discovered, and set to rights. This is rather too much to be granted to him upon a bare conjecture.

The queen is made to refer Bothwell to the bearer of the letter, for compleat information as to several things which she had not time or intention to write fully of, "Upon this point," says she

she, "the bearer will shew you many small things." Again, "This bearer will tell you the rest, and "gif I learn one thing hier, I will make you memorial at even."

The letter is made to be written at different times in the space of two days; and, at the conclusion of each night's writing, a few notes are added, which are professedly a recapitulation of the preceding heads of the letter: and, at the end of this letter, the queen is made to say, "Excuse "that thing that is scriblit, for I had na paper "zesterday when I wrait that of the memorial."

It does not seem possible to apply this to any other memorial, than that of the many small things, concerning which she referred Bothwell to the bearer, to explain to him fully. This is the plain sense of the words themselves; and in this sense only did Lethington and Buchanan explain them, in their conference with the English commissioners at York. The memorial there meant, "is in the credit," say they, "given to Paris the "bearer." Can any thing be more natural than this?" "But," says our author, "these gentlemen were in a mistake as to this, and understood nothing of the matter;" for now the dissertator has discovered, that this "scribblit writing," called the memorial, was no other than a part of her very letter, on which she had previously made some jottings, but was now forced to scribble her letter upon it, for want of paper.

If that may be supposed to have been the case, all this scribbling upon a paper, already blotted with notes and jottings, must undoubtedly have appeared upon the face of the letter itself: in which case, it is impossible to suppose, that Lethington and Buchanan could have mistaken the sense of this passage in the letter. In short, the whole

whole of this new observation is mere conjecture and conceit, not only unsupported by any evidence, but in direct contradiction to the express and natural sense of this passage, given us by *Leithington* and *Buchanan* themselves; who, after all, will, at least, be allowed to have been more intimately acquainted with the contents, and to have understood their meaning, better than even the ingenious dissertator.

Upon this passage of the memorandums, *Mr. Hume* makes a very strange observation: "In this letter," says he, "which she penned late at night, her paper failed her, and she takes down a memorandum of what she intended to add next morning; and it is added accordingly:---A circumstance," continues he, "not likely to occur to a forger."

The reader will be convinced of the weakness of the objection by looking into that part of the letter which follows this memorandum, in which there is not one word that has relation to these memorandums, except the last respecting *Livingston*. One would think, that this gentleman had fondly adopted the dissertator's conceit, without giving himself the trouble to examine the evidence.

The letter, as it now stands, appears to have been the subject of two nights writing. At the end of the first night, the queen is made to say, she is going to bed, "yet I cease not to scribble all the remains of the paper." Then follows a short note of the heads of what she had written.

The night after, when she comes to the very close of the letter, there are added, likewise, a few jottings, or memorandums; such as, "Remember you of the purpose of lady *Reres*, &c. All which is natural.

Now,

Now, if, according to this discovery of the dissertator, she was obliged to write part of the letter upon her paper of notes, which she had kept for jotting down what occurred: by what strange accident came it to pass, that this paper of notes came to be so luckily divided, as that one half of these notes falls so very a propos, as to make an exact summary of the preceeding part of the letter, and no more? After which the letter proceeds to the end, when again a few other notes are as naturally introduced, and with which this letter concludes. From all which it appears evident, that these notes were always meant to pass for what at present they appear to be, a part of the letter itself.

Such are the proofs, by the external and internal evidence, which the dissertator has produced, and from which he has concluded that the letters are genuine. That his observations are more ingenious than solid, has appeared pretty plainly, by a natural explanation drawn from themselves, and the account given of them by Murray, Lethington, and Buchanan, at the time when the whole affair was recent, and when these gentlemen had the original letters themselves in their hands. Their positive authority, therefore, must outweigh all modern vague conjectures, however fanciful and ingenious.

There remains still to be considered another piece of evidence against queen Mary; that is, the confession of Nicholas Hubert, commonly called French Paris, servant to the earl of Bothwell, and mentioned by name in the letters, as the bearer of them from the queen to Bothwell. This Hubert is the only person who, from his own knowledge, pretended to accuse the queen. His confession of the tenth of August, 1569, expressly

pressly charges her with being privy to the king's murder.

In order to give a distinct view, by itself, of this testimony, it is necessary to recapitulate some part of the foregoing narrative, which is connected with the story of this Frenchman.

In June, 1537, on the earl of Bothwell's flying from Scotland, Dalgleish, Hay, Hepburn, and Powrie, Bothwell's servants, were all made prisoners, and publicly tried before the high court of justiciary at Edinburgh. They were all condemned and executed on their own confessions, as accessary to the king's murder. None of them accused the queen; on the contrary, it is affirmed, that, with their dying breath, they vindicated her from having any part in their crime.

As for this Frenchman Paris, the supposed confidant of the whole intrigue between the queen and Bothwell, he was carried from Edinburgh, the ordinary seat of justice, to a remote prison in St. Andrews, the place of residence of the earl of Murray, where he lay for above two years, during all the time the conferences were carrying on at York and Westminster.

It must be remembred, that Dalgleish was the person in whose custody, the earl of Morton affirmed, the box with the letters had been seized: and we have already taken notice of the suspicious conduct of Morton, in declining, when this Dalgleish was examined in his own presence, to question him concerning this fatal box; or to have proved, by the persons who seized him, that the same was truly found about him at all: which being recent only six days before his examination and confession, must have appeared as clear as the sun at noon day; and, in place of resting this important event solely upon so sandy a foundation as the  
the

the bare word and assertion of Morton himself, must have placed it beyond the power of all cavil to attack. That not a word was asked this Dalgleish concerning the queen's silver box with the letters, is certain. His examination is still extant, and shows it.

The natural inference from this shyness or taciturnity, appears to be this; either that Morton, and his associates had forgot this important prize, the seizure of the letters, altogether; or, that those letters did not exist at the time of Dalgleish's trial; and, that the whole story of seizing the box in the custody of this Dalgleish, was invented after his death.

They had still, however, one other witness concerning the letters, no less than this Paris, mentioned by name in the letters themselves, as the bearer of them from the queen to Bothwell. Here then was a living witness, ready to be produced in public, at a proper time and place.

It may be asked, for what purpose was this Paris kept alive for two years after his fellow servants had been publicly tried and hanged at Edinburgh? Why was he carried from Edinburgh, the ordinary seat of justice, to a lonely prison in St. Andrews? Was it that the earl of Murray, whose principal residence was in that place, which was then entirely at his devotion, might be at more liberty to practise upon this poor creature; and, by promises, or the force of torture, or hunger, try if he could be made a steady witness in the false cause?

Though we should even suppose, that Paris, in the hurry of more weighty business, might have been totally forgot in his dungeon, by Murray and his friends while in England, yet Murray's



conduct, in relation to what follows, cannot be justified.

Queen Mary had publicly accused Murray, and asserted, in the strongest manner, that the letters were forged by him and his faction; and she undertook to prove this from the letters themselves, which Mary, in the most earnest manner, begged to have inspection of. This request was denied to her, and, to cut short the matter, the earl of Murray and his adherents went off in haste, with their box and letters, to Scotland.

Before their departure, queen Mary complained to queen Elizabeth, for "allowing them to depart the realm, not abiding to hear the defence of her innocence, nor the trial and prouf of thair detectioun, which was offerit to prove them guilty of the samen crime.-----To which it was answerit, That the earl of Murray has promised -----to return again when he sould be called for."

This was on the twelfth of January, 1568-9; and, within seven months after this, Paris was hanged by Murray at St. Andrews: viz. in August that same year, 1569.

Now, let any impartial person consider well the conduct of Murray in this matter. He himself is publicly accused by the queen, as one of the king's murderers: she undertakes to prove the crime against him by a fair trial. How does he defend himself against this so public a challenge given him in the face of the world? He denies the charge. but, in the mean time, begs leave to go home. Would innocence have acted in this manner?

Let us follow him, however, into Scotland, and trace his behaviour there, where fortune had been  
so

so favourable, as to throw into his hands the only person in the world who, if Murray was truly innocent, and the queen guilty, could have cleared him, and satisfied every mortal of her guilt. This person was French Paris, who, if Murray and his letters are to be credited, was the confident of the whole intrigue, between the queen and Bothwell, relating to the king's murder.

Could there have happened a more lucky event than this, to a man lying under the load of so criminal an accusation, as that of being an accomplice in the murder of his sovereign?

Let us now see the method Murray took to wipe off this foul aspersions, and to avoid all suspicion of practising, by the force of torture or promises, upon a poor, ignorant, friendless creature, then in his hands, to mould him to his purpose. Did he send him to London to be examined before the English council, as his other witnesses, Crawford, and Nelson, had been? Did he even venture to produce him before his own privy-council at Edinburgh, to be interrogated there? Or, lastly, did he bring him to a public trial, in the ordinary form, before the high court of justiciary at Edinburgh, as was allowed to Dalgleish, and the other servants of Borhwell? No!

As to these last, the experiment had not at all succeeded. In spite of torture, they had, with their dying breath, declared the truth and acquitted the queen.

This man, Paris, was the last card Murray had to play; a new method, therefore, must be followed with respect to him. He was secreted from public view; was carried to an obscure dungeon in Murray's citadel of St. Andrews; there he was kept hid from all the world, and at last condemned by the earl of Murray himself, in a manner no

body knows how; and several months after his death, a confession in his name, taken clandestinely without mentioning any person who was present when it was made by Paris, was privately sent up to London, (and given in to Cecil, but at what period no body can tell) accusing the queen in the blackest terms, and extolling the earl of Murray to the skies: and, to crown the whole, this precious piece of evidence was kept a profound secret from the queen and her friends, who, as we shall by and by prove, never once saw or heard of this confession.

All that remains of this poor creature, are two confessions; one on the ninth, and the other on the tenth of August, 1569. The first, said to be the original, and marked on some of the leaves with the initial letters of his name, is still extant in the Cotton library. This confession charges Bothwell with the murder, but mentions nothing of the queen or her letters.

The other confession, of the tenth of August, expressly charges the queen as accessory to the whole. Of this last we have a copy, attested by one Alexander Hay, a notary, and clerk to Murray's privy-council; and which we see, by an authentic paper, was sent to London by Murray in October, 1569, as a further proof of his accusation against the queen, after all the conferences were over.

That these confessions were kept secret, and never shown to Mary, is evident from the following circumstances.

The only cotemporary writers, who mention the condemnation and death of this Frenchman, are Leslie, bishop of Ross, and the author of the manuscript history of Scotland, during the reign of queen Mary, and the four regents, Murray, Lennox,

nox, Mar, and Morton, published by Crawford, historiographer to queen Anne.

This last author, who was at that time a living witness, mentions the condemnation of Paris in these words: "The regent (Murray) proceeded from Stirling to St. Andrews, where Nicknavin for forcery was burnt; and Paris, a Frenchman, was hanged for the murder of the late king, though he denied the fact."

The other cotemporary author who mentions this Frenchman, is Lesly, bishop of Ross, one of Mary's commissioners, and at that time in the character of her ambassador at London. He drew up an apology, entitled, "A Defence of the Honour of Queen Mary," which was printed at London in the end of the year 1569, soon after the execution of Paris.

The bishop, in mentioning this man, uses the following words: "As for him that ye surmise was the bearer of the letters, and whome ye have executed of late for the said murther, he, at the time of his said execution, tocke it upon his death, as he should answere before God, that he never carried any such letters, nor that the queene was participant, nor of counsaile in the cause."

From the words, "the person whom ye surmise was the bearer," it is plain, that neither the queen nor Lesly had either seen or heard of this confession of Paris, which is made to acknowledge this fact, of his being the bearer of the letters, in express terms: and the above passage from Crawford, fully explains the good reason that Murray then had for keeping this pretended confession of Paris a profound secret to all, except his own confederates and secretary Cecil; viz. because it was at this time universally known, by every body in  
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Scotland,

Scotland, that this very Paris, at his execution, had publicly given the lie to any pretended confession, by solemnly denying the fact.

Here then, we see, are the evidences that directly contradict one another; viz. Lesly, and the author of Crawford's history, who were both living witnesses at the same time, on the one side, and this pretended confession of Hubert on the other. If either of these testimonies be true, the opposite, of consequence, must be false. Let us endeavour, by external circumstances, to find out on which side the truth stands.

To begin with the bishop of Ross: and, in order to ascertain the proper degree of credit to be given to his public assertion of the above fact, it may not be improper to give a short sketch of his character, from a letter of queen Elizabeth to queen Mary, on the twenty-first day of December, 1568. After mentioning Mary's other commissioners, "We cannot," says she, "but specially note to you, your good choice of the bishoppe of Rosse, who hath not only faithfully and wisely, but also carefully and dutifully, for your honour and weale, behaved himself, and that both privately and publickly, as we cannot but in this sort commend him unto you, as we wish you had many such devoted discrete servants; for, in our judgment, we think we have not any in loyalty and faithfulness can overmatch him: and this we are the bolder to wryte, considering we take it the best trial of a good servant to be in adversitie, out of which we hartely wish you to be delivered, by the justification of your innocency."

The bishop, and Crawford's account of Paris's dying words, it may be said are no more than their assertions.

## MARY

assertions. They say it, indeed, not in a whisper, but as a thing well known in Scotland at the time of Paris's execution; and Lesly proclaims and publishes it to the world in print, recently, after Paris's death. This was giving an opportunity to the queen's accusers, to have as publicly contradicted this story, if it was false, by immediately exposing Paris's confession, which was in their hands; and supporting its authority, by naming the persons who were present at his examination.

Let us turn now to the other side, and observe the part which Murray and his confederates acted upon this occasion.

Queen Mary's ambassador thus affirming, in the face of the world, that this man, Paris, had, with his dying breath, and in the most solemn manner, asserted her innocence, was surely a challenge to her accusers to have refuted the assertion, by producing Paris's confession, if genuine, and fit to bear the light. They did not, however; and the only answer made to this vindication of queen Mary, was an order from queen Elizabeth to suppress the book altogether, on pretence of its containing some dangerous points, with regard to Mary's title to the crown of England. A second edition was, however, soon after published of the queen's defence, at Liege, in the year 1571.

In answer to this it may be said, that, by suppressing this defence of the queen, Murray and Morton had no opportunity to see this assertion with regard to Paris. This, however, can scarce be supposed. The book was printed, and copies of that very first edition are still extant.

The order for suppressing it was from Elizabeth, and consequently the book must have been in her hands, and in the hands of her ministers. Murray and Morton had always a minister at London to

negotiate their affairs at that court; and, by an authentic paper still extant in the Cotton library, we see, that, in October, 1569, Macgill, abbot of Dumfermling, was sent up to London, as minister from the earl of Murray, and carried up with him this pretended confession of Paris. Nay, the earl of Morton himself, as commissioner appointed by the Scotch regent Lennox, for managing a new treaty with queen Elizabeth, to depose Mary altogether, was himself at London in the beginning of the year 1571; at which time it cannot be doubted, that both these ministers must have seen this defence of queen Mary.

What possible reason then can be assigned for this reservedness, this determined silence of Murray and Morton, with respect to this assertion of the bishop, as to Paris's dying testimony of queen Mary's innocence, when they could at once have quelled it, by publishing the genuine confession, said to have been made by Paris himself, which they then had in their pocket?

Two reasons, very different indeed from each other, may be imagined: either that this confession of Paris, in Morton's custody, was not fit to bear the light: or, that some small regard for Mary's fame made them conceal it from her. That this last was not the case, will appear from what follows.

In this very year, 1571, Buchanan published his famous work, entitled, "A Detection of the Doings of queen Mary;" a work which proves him guilty of the highest ingratitude.

In this libel against the queen, published both in the Latin and in the Scotch language, nothing is omitted that could serve to blacken her. The whole intrigue between her and Bothwell, her amours in France as well as Scotland, repeated at-  
tempts

tempts to poison the king, and his actual murder at last by her contrivance: all, in short, that malice or calumny could invent to render her odious, is therein set forth: and, as a voucher or proof of the whole, the famous letters by her to Bothwell are printed at full length. Nay, that nothing might be neglected to give full credit to this book, the pretended confessions of Dalgleish, Powrie, Hay, and Hepburn, Bothwell's other servants, are printed along with it; and yet this important confession of Paris, though later in date, and more to their purpose, is omitted.

That so precious a piece of scandal might not be confined to Scotland, this book, with the letters, was, at the very same time, printed at London, and dispersed all over the kingdom. But what is more surprising, although Paris is often mentioned therein, as the confident of the whole scene between the queen and Bothwell, with respect to the king's murder; and, that bishop Lesly, in his printed apology for queen Mary, had affirmed, in the face of the world, as a fact universally known, that Paris, at his execution, had publicly asserted the queen's innocence; although the letters give only some suspicious and dark hints, from which the queen's knowledge of the murder is inferred; whereas Paris's confession of the tenth of August, 1569, expressly charges her as the contriver of it, and is the only evidence that does so; yet in Buchanan's book there is not the least mention made of any such confession.

Buchanan lived many years after this; his Detection went through several editions; nay, he wrote his history at large, which was not published for several years after this period; and, although he there again makes mention both of Paris and the letters, yet not one word is said of any such  
con-



confession made by this person, to the prejudice of the queen.

We have already said, that a copy of this confession of Paris against the queen, attested by Alexander Hay, is extant.

This Hay appears to have been Murray's active instrument in the transactions of those times, and, by degrees, he arrived to be clerk to his secret council. Here we see him attesting a copy of this confession of Hubert's, without witnesses, and upon his single assertion only.

We have extant a very curious letter of the same Hay to John Knox, which is dated the fourteenth day of December, 1571; wherein he thus writes: "They have set out in Ingland our queen's lyfe  
"and process, baith in Latin and Iuglish, quhairin  
"is continit the discourse of hir tragical doingis;  
"the process of the erle Bothwell's clenging, hir  
"sonnettis and letteris to him, the depositions of  
"the persons execute, and toe cartellis efter the  
"the king's murthour.---In appeirance thay leive  
"naithing unfer out tending to hir infamie."

This same Hay, we see, had attested the copy of Paris's confession on the tenth of August, 1569, which was sent to London that year; and yet, in this letter wrote to his friend John Knox, though he knew well that his own copy of this confession, was in the hands of the very same people who had published the above scandalous collection against the queen; yet, so well does he know, from the very nature of his own manufacture, that this confession of Hubert's durst not be exposed to light; and, so far from enumerating that piece among the above collection, he sinks it altogether, as if no such paper had existed. He tells his friend, that the above collection contained every thing that could tend to the queen's infamy, when at the same  
time

time he knew well, that the blackest piece of all, which he himself had furnished them, was omitted. From all which circumstances, the violent presumptions that arise from their carrying this poor ignorant stranger from Edinburgh, the ordinary seat of justice; their keeping him hid from all the world, in a remote dungeon, and their not producing him with their other evidences, so as he might have been publicly interrogated; the positive and direct testimony of the author of Crawford's manuscript, then living, and on the spot at the time, with the public affirmation of the bishop of Ross at the time of Paris's death, that he had vindicated the queen with his dying breath; the behaviour of Murray, Morton, Buchanan, and even of Hay, the attester of this pretended confession, on that occasion; their close and reserved silence, at the time when they must have had this confession of Paris in their pocket; and their publishing every other circumstance that could tend to blacken the queen, and yet omitting this confession, the only direct evidence of her supposed guilt; all this duly and dispassionately considered, one may safely conclude, that it was judged not fit to expose so soon to light this piece of evidence against the queen; which a cloud of witnesses, living, and present at Paris's execution, would surely have given clear testimony against, as a notorious imposture.

Thus far the external evidence makes against this pretended confession of Paris. We shall next examine the internal texture and construction of it, as it now appears to us, in order to satisfy the reader's curiosity.

Paris says, "That the first time that he entered  
 "into trust or credit with the queen, was at Ka-  
 "lender in her road to Glasgow, where she gave  
 VOL. II. "him

“ him a purse of three or four hundred crowns to deliver to the earl of Bothwell.”

Here it may be asked, why did she not give it to Bothwell himself, who was at Kalender with the queen, as Paris says afterwards in this confession?

2. That, two or three days after, he had got so much into the queen's confidence, that, when she sent him from Glasgow, with the first letter to Bothwell, she desired him, by word of mouth, to tell Bothwell, “ That the king desired to kiss her, but that she refused him, for fear of his malady, as lady Reres would testify.” And further, says she, “ Tell Bothwell, that I wont go near the king, unless in company with Reres, who shall see all I do.”

3. That as he, Paris, was dressing, or putting in order, the queen's bed in her chamber, which was directly under the king's chamber, as Bothwell had commanded, &c.” A very decent office, truly, this fellow had got into about the queen's person.

4. That he took the liberty to say to the queen, Madam, monsieur Bothwell hath commanded me to bring to him the keys of your chamber, as he wants to do something there; that is, to make the king fly in the air with powder.

5. That Bothwell told him, that lady Reres walked out every night, very late, in quest of him, to conduct him to the queen's bed-chamber; and that he was present when lady Reres came on this errand.”

Such is the grossness, and such the absurdities, to be found in every part of this confession.

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The just remark made by the differtator, that the eagerness of forgers generally makes them detect themselves, by overcharging their work, is verified to the full extent, by applying it to this piece. Their caution, in not making the queen, in her letters, speak such plain language as this person does, was wise. Here they forget themselves, by putting the grossest words in his mouth. His character, they knew, was low enough to bear it; and they were resolved to make him speak out, so as to leave no doubt of the queen's infamy, as a prostitute! and a murderers!

Having thus examined the external and internal appearance of this notable piece, it is proper to shew what arguments have been used on the other side, in support of Paris's confession against the queen, which we shall give in the differtator's own words.

“ This person (says he) was twice examined, and  
 “ the original of one of his depositions, and a  
 “ copy of the other, are still extant. It is pre-  
 “ tended they are both forgeries. But they are  
 “ remarkable for a simplicity, and naiveté, which  
 “ it is almost impossible to imitate: they abound  
 “ with a number of minute facts and particu-  
 “ larities, which the most dextrous forger could not  
 “ have easily assembled and connected together,  
 “ with any appearance of probability; and they  
 “ are filled with circumstances, which can scarce  
 “ be supposed to have entered the imagination of  
 “ any man, but one of Paris's profession and cha-  
 “ racter. But, at the same time, it must be ac-  
 “ knowledged, that his depositions contain some  
 “ improbable circumstances. He seems to have  
 “ been a foolish talkative fellow; the fear of death;  
 “ the violence of torture; and the desire of pleas-  
 “ ing those in whose power he was, tempted him,  
 “ perhaps,

“ perhaps, to feign some circumstances, and to exaggerate others. To say, that some circumstances in an affidavit are improbable or false, is very different from saying that the whole is forged. I suspect the former to be the case here, but I see no appearance of the latter.”

In answer to this we must observe, that it has been always judged an unlucky circumstance in any person's testimony, that any particular part of it is found to be inconsistent with truth: the smallest deviation in that point, never fails to render the whole suspicious. In the present case, when the several objections, arising from the external view of the testimony, are taken into consideration, the above rule of judging must acquire double force.

Nor does the reason assigned by the dissertator, for Paris's interlarding truth with improbabilities, viz. “ Because he meant thereby to please the party,” appear in the least satisfactory. If this reason is good for any thing, it proves too much. If Paris had a view to please them, by telling falsehoods, that surely might have tempted him to accuse the queen falsely, as the most acceptable thing he could do for them: and, if we are to believe that this was the humour and design of the man, we must certainly believe, that the whole of his narrative against the queen is false, from beginning to end.

Here might we rest the matter against the dissertor; but, if we are to judge of this confession, from the absurd and improbable circumstances that are contained in it, we can scarce believe, that this creature, Paris himself, could have been the author of this narration. For, although he might have been tempted by the hopes of life, to accuse the queen falsely, yet what reason can be assigned

assigned for his making a jest of the most horrid circumstance of the king's murder, that Bothwell and he were to make the king to bounce in the air with powder, "De faire sauter le roy en l'air?" What could so horrid a tale tend to, but his own destruction? Was not this pointing himself out as a wretch, as deserving the most cruel punishment, without the least compassion?

The dissertator says further, "That Paris's confessions are remarkable for their simplicity and naiveté." How can that be, since the dissertator himself owns him to have been a foolish talkative fellow? And they abound, continues he, with a number of minute facts and circumstances, which could scarce have entered the imagination of any other man.

It cannot be denied, that many of these facts might really have been true. They do not affect the queen, and might have possibly been told by Paris. But that can no ways be an argument, that the confessions, as given out in his name several months after his death, are genuine. For, as we have already observed, the plan of every forger, in such a case, must always be to ground his work upon some certain facts that all the world know to be true, and to interlard these truths with falsehoods.

Let us further examine the authenticity of this confession of the tenth of August.

The title it bears is in these words:

"A Sanctandre, le 10 jour d'Eouft, 1569. Nicholas Howbert dict Paris, a este interrogué sur les articles & demandes qui s' ensuivent, &c. & premierement."

Then follow the questions that are put to him, with his answers, all in French; but, by what person, or what authority, he was thus questioned and

and examined, does not appear. From which it is evident, that that examination and confession was not judicial. And, what is most surprising, it does not mention any person whatever that was present when it was taken. What can we think of to have a piece of evidence? This examination could not have been made at Paris's trial, otherwise it must have expressly said so; likewise it must have mentioned the court of justice, and the judge, in whose presence, and by whose authority it was taken.

Let us next compare this examination with the judicial examinations and confessions of Dalgleith, Hay, Hepburn, &c. taken before the high court of judicary at Edinburgh; we evidently see there, the difference betwixt a judicial testimony, and this of Paris's, taken in a clandestine manner, without the authority of a judge, and by no body knows whom.

Dalgleith's examination begins thus: "Apud  
"Edinburgum 26 Junii, an. dom. 1567, presentibus comitibus de Montoun & Athol, preposito de Dundee, & domino de Grange."

John Hay's examination begins thus: "Apud  
"Edinburgum 13 die mensis Septembris, an. dom. 1567, in pretence of my lord regent, the clerk of Montoun and Athol, the lairds of Lochleven, and Petarow, Mr. James Macgill, and the justice clerk."

And, at the end of these depositions, is the attestation and subscription at large, of sir John Eddislan, lord justice clerk, imploring, that the principal depositions were in the records of the books of the high court of judicary.

What marks then of authenticity are about this piece on Paris? Not the smallest, as far as can be known this day, excepting the single attestation of  
Hay,

Hay, Murray's clerk, who, as a notary, attests this paper to be a true copy of an original, signed or marked by Paris himself, and read to him. All the world knows, that a copy of any paper, attested by a notary, requires the solemnity of two reputable witnesses to give faith to the notary's attestation.

To this paper, however, though of the greatest importance, there are no witnesses. The whole then depends entirely upon the naked assertion of this noted clerk of Murray alone, contradicted, in the most public manner, by all the world, and even tacitly disavowed by himself.

Before we conclude, we must again beg leave to take notice of Mr. Hume's arguments in support of this noted piece of evidence of Paris : "It is in vain (says he) at present to seek for improbabilities in Nicholas Hubert's dying confession, and to magnify the smallest difficulties into a contradiction. It was certainly a regular judicial paper, given in regularly and judicially, and ought to have been canvassed at the time, if the persons, whom it concerned, had been assured of their innocence."

Here we see a short, but very positive decision, against all and every objection that possibly can be brought against Paris's confession. But, upon what does this author ground his opinion? Upon two very plain reasons, 1. That the confession was a judicial one, that is, taken in presence, or by authority of a judge. And, 2. That it was regularly and judicially given in; that must be understood during the time of the conferences before queen Elizabeth and her council, in presence of Mary's commissioners; at which time she ought to have canvassed it, says our author, if she knew her innocence.



That it was not a judicial confession, is evident : the paper itself does not bear any such mark ; nor does it mention that it was taken in presence of any person, or by any authority whatsoever ; and, by comparing it with the judicial examinations of Dalgleish, Hay, and Hepburn, in p. 146, it is apparent, that it is destitute of every formality requisite in a judicial evidence. In what dark corner, then, this strange production was generated, our author may endeavour to find out, if he can.

As to his second assertion, that it was regularly and judicially given in, and therefore ought to have been canvassed by Mary during the conferences. We have already seen that this likewise is not fact : the conferences ended in February, 1569 : Nicholas Hubert was not hanged till August after, and his dying confession, as Mr. Hume calls it, is only dated the tenth of that month. How then can this gentleman take upon him to assert, that this confession was judicially given in, and ought to have been at that very time canvassed by queen Mary and her commissioners ?

In answer then to Mr. Hume : as the queen's accusers did not chuse to produce this material witness, Paris, whom they had alive, and in their hands, nor any declaration or confession from him at the critical and proper time for having it canvassed by the queen, it is apprehended our author's conclusion may fairly be used against himself : That it is in vain at present to support the improbabilities and absurdities in a confession, taken in a clandestine way, no body knows how ; and produced after Paris's death, by no body knows whom ; and, from every appearance, destitute of every formality requisite and common to such sort of evidence.

The

The learned and judicious Bayle has made a very just observation on the case of queen Mary and her adversaries : “ One of two things (says that author) must have been the case ; either, that they who forced that princess out of her kingdom, were the greatest villains in nature ; or, that she was the most infamous of women. These are two scales of a balance, equally poised ; you cannot load the one without lightening the other precisely to the same degree : in the same manner, whatever serves to acquit the queen, aggravates her enemies in the same proportion ; and, whatever serves to load the queen, extenuates their crime in a like degree.”

Here then we have a just balance, in which the case of Mary and her accusers may with certainty be weighed, and by this standard judged and determined with great exactness.

The weights to be put in the scales, are the proofs which were exhibited by the earls of Murray and Morton, of the crimes they charged their queen with, which are likewise to be considered as the proofs of their own justification for rising in arms against their sovereign ; for imprisoning her ; and, finally, for the long train of her calamities and her death ; all consequent to their rebellion.

The scales being now fairly loaded, and the balance exactly poised, let us carefully examine the weights before we pretend to abstract one grain from the scales. One scruple taken from either of them, must destroy the equilibrium. If then we take out the heaviest weight, and put it in the opposite scale, that directly preponderates, the other flies up.

We shall therefore begin with examining the heaviest weight, in the scale against the queen,

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that is, her letters to Bothwell: and, to avoid all imputation of partiality, let us try them according to the rules of equity, as in a court of justice, by hearing both sides. We begin with the accusers.

1. The earl of Morton at first produced those letters, and affirmed, on his word of honour, that his servants seized them in the custody of George Dalgleish, one of Bothwell's servants, who had brought them out of the castle of Edinburgh.

2. The earls of Murray and Morton affirm, on their honour, that they are the hand-writing of the queen, both in their own secret council, and in the regent's parliament in Scotland, and before queen Elizabeth and her council in England.

3. They are produced at York and Westminster, to the English council, and compared with other letters of Mary's hand-writing, and appear to be similar to them.

4. And lastly, several of the incidents mentioned in the letters themselves; such as the conversations between the king and the queen at Glasgow, are, by Crawford, one of the earl of Lennox's vassals, affirmed, upon oath, to be true.

Such are the proofs brought in support of the letters. Let us now turn to the other side, and hear what are the answers, and the objections made to them on the part of queen Mary.

1. Queen Mary denies the letters to be her hand-writing, and asserts them to be forged by her accusers, Murray, Morton, and Lethington, and offers to prove this.

2. Mor-

2. Morton's bare affirmation of the way in which the letters came into his hands, as he is a party, can never in equity be regarded, Nay, the letters appearing first in his hands, was of itself suspicious: besides, his suppressing the evidence of Dalgleish, or forbearing to interrogate him judicially, how he came by these letters, which would have put this affair in a true light; and his neglecting to examine his own servants publicly, who seized Dalgleish with the box, as to what they knew of that affair: and, in place of the legal declaration of those, who were the only proper witnesses to prove this fact, obtruding his own affirmation only. These omissions double the suspicion, that he himself, and his faction, were the contrivers of the letters.

3. The affirmation of Murray and Morton on the authenticity of the letters, both in Scotland and England, can bear no greater degree of credit than queen Mary's denial, and the affirmation of herself, and most of the nobility of Scotland, that those letters were forged.

4. The similarity of one hand-writing to another, is such a proof as no man can be certain of: far less in the case of these letters, appearing in so clandestine a way in the hands of Morton, the queen's inveterate enemy and accuser. Add to this, what is affirmed by Mary, that her enemies had often counterfeited letters in her name; which is corroborated by a contemporary author, who relates it as a well-known fact, that Lethington, her secretary, had often practised this vile fraud.

5. That several of the incidents mentioned in the letters might be very true, is not denied. The plan of the forgers was surely to interlard truth with falsehood. Crawford's testimony, on

the truth of several of the incidents mentioned in the letters, might therefore be true, and yet the letters themselves might be forged.

But the objections to the letters on the part of the queen, are of a different nature.

1. The letters, as exhibited by Murray and Morton, wanted the dates, place from which they were written, the subscriptions, seals, and addresses. Could any judge or jury then, have admitted these letters as authentic, and as written by queen Mary to the earl of Bothwell, upon the bare word of her accuser?

2. The only proof they could have brought to support their affirmation, was by the oath of Hubert, that he got the letters from the queen's own hand, and delivered them to Bothwell: and by Dalgleish, that he found them in the earl's repository in the castle of Edinburgh, and was carrying them to him. It is impossible, therefore, to frame any plausible reason, why these two persons were not called upon to prove these facts, but this only, that there was not a word of truth in the story.

3. The letters are produced in public, under different dresses. Before the secret council, they bear to be subscribed by the queen's hand: in their second appearance, before regent Murray's parliament, they want the subscription altogether. This is proved by the acts of council, and of parliament in the registers.

4. While the conferences were going on at York, the letters were privately, and in secret conference, shown by Lethington and Buchanan, to the English commissioners, but carefully concealed

vealed and kept hid from queen Mary and her commissioners.

5. The queen, on the first hearing of those letters, earnestly supplicates to have inspection of the originals, and to be allowed copies; from which she offers to prove them to be forged and spurious. Both requests are refused to her, the letters are delivered back to her accusers, and, to her dying day, she never could get a sight of these originals, or attested copies of them.

6. The letters, of which copies only are now extant, are, to a demonstration, proved, and forced to be acknowledged, even by the writers against the queen, to be palpable translations from the Scotch and Latin of George Buchanan.

Such are the proofs on both sides for and against the authenticity of the letters. Let us now put the question to any impartial person, who understands the nature of evidence: would those letters, found in the custody of Morton, destitute of subscription, seal, and address, and in the face of so many other unsurmountable objections, have been sustained as genuine authentic writings, in any court of law or justice, upon the bare appearance, or similarity of the queen's hand-writing, and the naked word of Murray and Morton the accusers?

The case then seems to be determined at once, the scale is turned in favour of the queen. But still there remains another weight against her, that is, Hubert's confession: this we have so recently proved to be a forgery, that it is needless here to recapitulate the objections to a piece of manufactory abounding with so many absurdities and improbabilities, (as Dr. Robertson acknowledges).

and altogether destitute of every essential requisite to a judicial paper. If this weight is taken from Murray and Morton's scale, and put to the queen's, what then remains in the opposite? Nothing but conjectures, arguments *à priori*, and inferences drawn from false premises, all as light as air! The queen's scale, then, preponderates; that of her adversaries flies up, and kicks the beam.

Having examined the evidences that were produced by the earls of Murray and Morton, and secretary Lethington, for proving queen Mary guilty of the crimes with which that confederacy accused her; many arguments have offered to prove, that these evidences, so far from being sufficient to make out the accusation, were themselves false and forged. This, if satisfactorily executed, according to the judgment of monsieur Bayle (a judge, who has shewn himself, by his writings, no ways prejudiced in favour of Mary) should determine the question, not only that the queen is innocent, but moreover, that her accusers themselves must be guilty.

Plain however, as this consequence is, let us, to please the curious, go a step further, and try, if it is possible, even at this day, by direct evidence, to trace the footsteps of any of those dark, daring, and subtle geniuses, in the bloody scene of Darnley's death, through the thick cloud in which they have wrapt themselves.

The queen's accusation against her bastard brother the earl of Murray, and his confederates, was, in general, "That they themselves were the inventors, conspirators, and some of them the executors of the murder of the king."

The following two points, which, it is apprehended,

hended, both naturally result from the queen's accusation, will, it is hoped, be readily granted.

1. That, if the queen had made good this accusation, and proved, that the accusers themselves, Murray, Morton, and Lethington, had been in the conspiracy and execution of the king's murder: in that case, she herself could not have been in that confederacy, or guilty of the murder. This appears to be consistent with common sense and reason.

2. It is apprehended, that it will be granted with the same readiness; that, as this triumvirate, Murray, Morton, and Lethington, had been from the beginning, equally embarked in the same cause, as they had, with one voice, publicly accused their sovereign of the above crimes, and pretended to bring proof of their accusation; and as they had, by that means, deprived her of her crown, and possessed themselves of the government of her kingdom: if, the queen could have proved, that these joint accusers, or any of them, had themselves been the authors or contrivers of the king's death, in that case the whole triumvirate, as partakers in the crime, must one and all of them be deemed guilty, as accessories to the murder.

These two points being allowed, let us now turn to the other side, and hear what defence Murray and his associates have made for themselves, and what has been said for them by the writers upon their side, in answer to the queen's accusation.

The answer made by Murray and his associates to the queen's accusation, was in these general terms:



terms: "That they deny they were culpable thereof."

Mr. Hume argues thus in their defence against the above accusation: "the queen's accusation coming so late, can only be regarded as an angry retaliation upon her enemy: unless (adds he) we take this angry accusation of Mary's to be an argument of Murray's guilt, there remains not the least presumption, which should lead us to suspect him to have been an accomplice in the crime. --- Murray could have had no motives to commit that crime, the king's murder indeed procured him the regency, but much more queen Mary's ill conduct, which he could not foresee."

The dissertator argues thus on the same side: "Murray, on the queen's return to Scotland, served her with great fidelity, and, by his prudent administration, rendered her so popular, and so powerful, as enabled her, with ease, to crush a formidable insurrection raised by himself in the year 1565. What motive could induce Murray to murder a prince, without capacity, without followers, without influence? It is difficult to conceive what Murray had to fear from the king's life. It is no easy matter to guess what he could gain by his death."

"If Murray had instigated Bothwell to commit the crime, or had himself been accessory to it, what hopes was there that Bothwell would silently bear, from a fellow criminal, all the persecutions which he suffered, without retorting upon him the accusation, or revealing the whole scene of iniquity? Or, is it probable, that Murray would first raise Bothwell to supreme power, in hopes that afterwards he might crush him."

Such

Such is the answer, such the defence made by the writers on Murray's side of the question, to the queen's general accusation of him and his associates.

We are here amused with fine spun arguments *à priori*, endeavouring to overturn facts by inferences, from the unreasonableness of the motives productive of these facts. Were the certainty of events to be determined only by an induction of probable causes, all historical faith would be greatly shaken, we must doubt of every thing that does not fall under the direct conviction of our own eyes. Dr. Robertson asks, What motive could induce Murray to murder Darnley? His friend Mr. Hume shall answer him, "It was to procure himself the regency. But, after all, this sort of reasoning, by inference, cannot take place here. It is by direct evidence, that we are to endeavour to prove the queen's accusation against Murray and his confederates, Morton and Lethington; and in the same way only, must the advocates for them be allowed to make their defence. We shall therefore proceed :

But, previous to our entering upon this matter, it is of consequence to take notice of the sophistry, that has been used by the advocates on the opposite side to impose upon the public, by a vindication of the earl of Murray only. He is substituted in place of the whole party, as if the queen's accusation had been confined to him alone. He indeed (who is said to have been the head and director of the whole) seems to have taken very great care to screen himself from public view, while Morton and secretary Lethington, his two instruments, acted more boldly, and with less caution. By this piece of slight, the contriver and mover of the whole machine kept himself

self hid, as he imagined, behind the curtain, secure in his artifices, and now boldly steps forth, while his under-actors make their retreat; and, by his interposition, seem to elude the search.

By this piece of sophistry, the partizans of the queen have been imposed upon; in pursuing Murray, they let his two instruments Morton and Lethington escape; we propose therefore to direct our enquiry into the particular conduct of each of the triumvirate; and, at the same time, endeavour to discover the chain which united this confederacy against the queen, during her whole reign. So that, by judging of each separately, or connecting the whole together, the reader, in one view, may determine for himself: and, on this plan, we propose to give a fair detail of facts, with the authorities from which we take them, so that the public may the better judge of their weight.

Before the queen's arrival from France, which was on the twenty second of August, 1561, queen Elizabeth had taken care to have a minister at Edinburgh; this was the noted Mr. Randolph, who, upon pretence of bearing Elizabeth's compliments of congratulation, continued about queen Mary's court as a spy, giving the most minute intelligence of every thing done there, to his mistress Elizabeth and her prime-minister Cecil, and countenancing and encouraging every cabal formed to disturb Mary's government. Of all this, Randolph's own letters, still extant, are a full demonstration.

It appears, that he had very soon cultivated a good understanding with the most fit persons for his purpose; such as the famous John Knox, one of the chief of the reformed preachers, and particularly with the triumvirate, Murray, Morton, and Lethington.

In

In a letter to Cecil, the ninth of August, 1561, a fortnight before Mary's arrival in Scotland, he thus writes :

" I have shewn your honour's letter unto the  
 " lord James, (i. e. Murray) lord Morton, and  
 " Lethington; they wish, as your honour doth,  
 " that she (Mary) might be stayed yet for a space,  
 " and, if it were not for their obedience sake,  
 " some of them care not though they never saw  
 " her face. --- They have need to look unto them-  
 " selves, for their hazard is great, and they see  
 " there is no remedy nor safety for themselves, but  
 " to repose upon the queen's (Elizabeth's) majesty's  
 " favour and support. They are in mind shortly  
 " to try what they may be assured at, of the  
 " queen's majesty, and what they may assuredly  
 " perform, of that they intend to offer for their  
 " parts. --- They intend to expostulate with me  
 " hereupon. I have my answer ready enough to  
 " them."

" By such talk, as I have of late had with the  
 " lord James and Lethington, I perceive that they  
 " are of mind, that immediately of the next con-  
 " vention, I shall repair to you with their determi-  
 " nation and resolution in all purposes, wherein  
 " your honour's advice is earnestly and shortly  
 " looked for. --- The lord of Lethington leaveth  
 " nothing at this time unwritten, that he thinketh  
 " may be able to satisfy your desire in knowledge  
 " of the present state of things here."

We see, from this letter, that the affected pre-  
 tence of those persons for associating themselves,  
 and carrying on this underhand treacherous intel-  
 ligence and correspondence with England, was  
 their fears from Mary on her arrival in her own  
 domi-

dominions. How false these pretences were, may be judged from the conduct of this deluded princess, who, immediately on her arrival, threw herself into the arms of these very men, Murray, Morton, and Lethington, who, notwithstanding they had the sole power in their hands, still continued to carry on their treacherous underhand practices with England.

In the abstract of Randolph's letters to Cecil, now in the Cotton library, we find, in one of them, of the nineteenth of June, 1563, these words: "If any suspected letters be taken on the border, open them not, but send them to my lord of Murray, of whose service the queen of England is sure."

We now proceed to unfold some ouvert acts of Murray, in prosecution of his view of disturbing the government and seizing the reins into his own hands.

The queen's purpose to marry the lord Darnley, in the year 1565, was an event which seemed to cross Murray's ambitious views, in placing a master over him for the present, and by the prospect of the queen's issue, cutting off all his hopes for the future. For preventing this marriage, a conspiracy and association was formed, of which Murray was at the head, to seize the queen and lord Darnley at the kirk of Beith, on their return from Perth, on the first of July, 1565, to send her a prisoner to the castle of Lochleven, and either to murder or to seize Darnley, and send him prisoner to England. We shall state the evidence, and leave the reader to judge for himself.

Randolph, queen Elizabeth's minister at Edinburgh, from his letters, which are still extant, appears to have been deeply engaged with the conspirators in this plot. In his letter of the third of  
June,

June, he thus writes to Cecil; "People have  
 " small joy in this their new master, and find no-  
 " thing, but that God must find him a short end,  
 " or them a miserable life. The dangers of these  
 " he now hateth are great; but they find some  
 " support, that what he intendeth to others, may  
 " light upon himself."

In his letter of the second of July, he writes thus  
 to Cecil: "With my lord of Murray I have lately  
 " spoken; he is grieved to see the extreme follies  
 " in his sovereign; he lamenteth the state of the  
 " country, that tendeth to utter ruin; he feareth  
 " that the nobility shall be forced to assemble  
 " themselves together, to do her honour and re-  
 " verence, as they are in duty bound; but, at  
 " the same time, to provide for the state, that it  
 " do not utterly perish.—The duke, the earl of  
 " Argyle, and he, Murray, concur in this device,  
 " many others are like to join them in the same:  
 " what will ensue, let wise men judge."

How the ruin of the state was to ensue from the  
 queen's marriage, at this time, or what her follies  
 were, is not so easy to be guessed at. That the  
 queen's marriage was a very great bar in the way  
 of Murray and his party, is extremely obvious;  
 and, for that reason, that the most desperate re-  
 medies were put in execution by them, to prevent  
 its having effect, is very apparent. At this very  
 period, however, it is acknowledged, by all our  
 historians, that the queen was greatly beloved by  
 her people, that her government was mild and un-  
 exceptionable to all. This Mr. Robertson candidly  
 acknowledges.

The only grievance, therefore, here complained  
 of by Murray and Randolph the English minister,  
 seems to be, that the queen should think of mar-  
 riage at all, at this conjuncture, which they foresaw  
 might

might put an end to that party in the English interest, which Elizabeth cherished and kept up, for her scheme in disturbing the government, and of which Murray, for his own private views, was at the head.

What lengths this association was resolved to go, in prosecution of their scheme to prevent the marriage, we proceed to unfold.

Randolph thus writes to Cecil in his said letter of the second of July: "Darnley's behaviour is such, as he is run in contempt of all men, even of those that were his chief friends: what shall become of him I know not; but it is greatly to be feared, that he can have no long life among his people."

Here is a prediction which, without the gift of prophecy, Randolph might very safely make from what follows in his letter to Cecil: "The question," says he, "has been asked me, Whether, if they, Darnley and his father Lennox, were delivered to us at Berwick, we would receive them? I answered, We would receive our own in what sort soever they came into us;" i. e. dead or alive."

This conspiracy being detected by the queen, the very day before it was concerted to have been put in execution, she, with assistance of the earl of Athol, and what men he could instantly raise, made a sudden march to Edinburgh, which entirely disconcerted Murray and his confederates, in so much that, seeing themselves detected, they made their retreat to Stirling, where they assembled their strength, and soon after took arms, and rose in open rebellion against their sovereign.

This open attempt appeared to be so unprovoked and unjustifiable to the whole nation, that the queen, seconded by her whole people, found it

it an easy matter to crush Murray and his desperate party, who for refuge fled into England.

The desperate resolution of Murray and his party, by thus rising in open rebellion against their sovereign, is thus opened to us by their confident Randolph, the English minister, in his letter to Cecil at this very time, the third day of September, 1565.

“The lords were forced from Edinburgh.—  
 “The queen suspects Morton, yet hath he not the  
 “wit to leave her. She weareth a pistol charged  
 “when in the field; and of all her troops, her  
 “husband only has gilt armour.—Divers of the  
 “other side are appointed to set upon the queen’s  
 “husband, and either kill him or die themselves.  
 “They expect relief from England: much prom-  
 “ised, but little received as yet. If her majesty  
 “will now help them, they doubt not, but one  
 “country will receive both the queens.”

We shall only add one testimony more; that is, no less than the affirmation of most of the Scotch nobility: among whom was the earls of Argyle, Rothes, and the lord Boyd, who at first joined with Murray, but afterwards submitted, and were pardoned by the queen, and must have certainly have known the truth of what they subscribed to against Murray, their associate, in this affair. Their affirmation is in these words: “That  
 “he, Murray, at this time conspired the slaughter  
 “of the lord Darnley, and to have imprisoned  
 “her highness in Lochleven, and usurped the go-  
 “vernment.”

Thus have we full and clear proof, from the concurrent testimonies of the conspirators themselves, of a plot and confederacy formed by Murray and his party for subverting the government, dethroning queen Mary, and murdering the lord



Darnley ; and this carried into execution by an open rebellion, headed by Murray, which queen Mary was so successful as to crush, and oblige him to fly the kingdom, and to take refuge under queen Elizabeth, whose share in this enterprize seems sufficiently proved by the preceeding testimonies.

What motives, may we not in our turn ask, could induce Murray, at this time, when the kingdom was in universal peace and quiet, under the mild government of his benefactress, who had raised him to the height of power next to herself, and trusted him with the administration of all affairs, thus, unprovoked, to form a plot to dethrone her, and murder her husband ? What else, surely, but that inordinate lust of power and ambition, to set himself at the head of the government, and to rule alone ; which ever has been, and will be, a tempting motive to ambitious men to break through the strongest ties, and commit the world of crimes ! And, although Murray failed at this time in his attempt, yet, by persevering in his scheme, and laying his plan deeper, he soon after was successful.

*Malum minatum et damnum secutum*, say the lawyers, is a most certain presumption of guilt, which nothing but the most positive evidence of the contrary, can remove. Of the *malum minatum* by Murray to the lord Darnley, carried even into execution, it is impossible to produce a more glaring proof than by the preceeding testimonies ; nor was the actual murder of that prince so very remote from this period, as to remove that presumption.

Murray's rebellion and banishment was in October, 1565 ; and Darnley's murder happened in the beginning of the year 1567, on the tenth of  
Febru-

February; that is, scarce sixteen months distant, and within less than eleven months after Murray was recalled from his banishment.

What explanation the earl of Murray was pleased to give to queen Elizabeth, his friend and confidant, of the conferences, held by him in the castle of Craigmillar, we are yet to learn. There is no doubt that he thought himself very safe in the hands of that princess, to whom, he tells us upon oath, that he had unbofomed himself; and therefore, it would appear, he thought no body else had a title to hear his tale.

Thus far we see, from this extraordinary answer of Murray, that he does not deny the conferences and proposal alledged to have been made by him and Lethington, as the earls of Huntly and Argyle have declared in their protestation. It therefore must appear sufficiently convincing, to any unprejudiced person, that what these noblemen have affirmed is true.

We therefore shall leave to every person to judge for himself of the propriety of the inference these noblemen draw from thence, of Murray and Lethington's guilt, and accession to the murder of the lord Darnley, which was committed within a few weeks of their proposal to make the queen "quyte of him."

Of this protestation, as it is called, of Huntly and Argyle, we have a copy preserved in the Cotton library, with the original of Murray's answer, signed by himself, James Regent, pasted on the back of the protestation.

The dissertator endeavours to show that there never was any original of the protestation signed by Huntly and Argyle, what is extant being, as he is pleased to alledge, only an intercepted copy, contained in a letter sent by the queen to these

two noblemen to make out and sign. What is extant, is acknowledged to be no more than a copy unsubscribed : but that can be no proof that there never did exist an original. Queen Mary had very good reason not to trust the original of so important a writing with secretary Cecil, or even with his mistress Elizabeth, after the manifest partiality she had already discovered against her.

But, although the original of this paper does not at this day appear, yet we have an authentic evidence to the truth of the facts contained in it ; not only signed by Huntly and Argyle, but likewise attested by thirteen other peers of the highest rank in Scotland, dated the twelfth of September, 1568. After relating the murder of Rizio, and the banishment of Morton and his associates upon that account, it proceeds in these words : “ And hearing of the young behaviour, thro’ fulage counsal of hir (the queen’s) husband, thay causit mak offers to our said sovereign lady, gif hir grace wald gif remission to them that were banished at that time, to find causes of divorce, or then to get him convict of treason, or what otherway to dispatch him, which altogether hir grace refused, as is manifestly known.”

It is needless to use further arguments while we have the best authorities to support this writing of Huntly and Argyle ; no less than that of secretary Cecil himself. We have already said, that, on the back of the copy of the protestation in the Cotton library, is pasted the original answer to it, signed by the earl of Murray ; and at the foot of this is written, by secretary Cecil’s own hand, this notandum : “ 19th January 1568. An answer of the earl of Murray to a writing of the earl of Huntly and Argyle.”

Within

Within a few days after the conferences in the castle of Craigmillar, viz. on Christmas, 1566, the queen was prevailed upon to grant a pardon to the earl of Morton, and to the number of seventy-five of his accomplices in Rizio's slaughter. This was the previous and necessary step of the confederates to the grand enterprize, which soon after, upon Morton's appearing again in the scene, was to take place.

Upon the ninth of February, 1567, the earl of Murray affected publicly to ask leave to go from court to his house in St. Andrew's, on pretence that his wife was in danger of an abortion. And the next morning, the tenth of February, the king's house was blown up with gunpowder, and his body found dead.

Before we go further, it may not be improper to make a stop here for a little, and call back our attention to two facts that have occurred in the preceeding narration, which appear to throw some light upon the dark affair of Darnley's murder.

It is told us, by all the historians, and particularly by the latest, Dr. Robertson, that, in the end of October, 1566, about three months before lord Darnley's murder, he intended to have left the kingdom, and to have gone into foreign parts, and with great difficulty was dissuaded from this purpose by the queen.

The other fact to be observed, is the proposal made by Murray and Lethington to the queen in the castle of Craigmillar, to procure a divorce between her and Darnley; which proposal the queen utterly rejected.

Now, as both these incidents happened within so short a time of Darnley's murder, and at a time

when his behaviour to the queen was most shocking; if the queen had truly been desirous to get rid of her husband, is it natural to conceive, that she should have rejected both these opportunities of being so effectually freed from him without trouble, and rather chuse to involve herself in the horrid crime of his murder?

Should we suppose, that the reason of her rejecting the proposal of the divorce, might proceed from an apprehension of injuring her son's title, which it is improbable that a woman, so wicked as to be meditating the death of his father, could be much affected with. Yet Darnley's project of going abroad, not only freed her from the company of a troublesome husband; but likewise, if we can suppose her as wicked as her enemies have asserted, afforded her many opportunities, either of keeping him out of the kingdom, or of conspiring his death at a distance, by unknown hands.

We shall now proceed to examine the conduct of Murray and his confederates, subsequent to the murder of lord Darnley.

Murray, we have seen, chose the very day before the murder to withdraw from court, and to go over the Forth to his castle of St. Andrew's. Soon after he returned to court, and, with Bothwell, Morton, Lethington, and their party, was in high favour and confidence with the queen.

It is generally allowed by historians, that the earl of Bothwell was one of the principal actors in the king's murder. The earl of Morton and Lethington, as we shall afterwards shew, were both of them accessories, and privy to that black affair; and Morton in his confession, as delivered to us at his death, expressly acknowledges, that Bothwell acquainted him with the bloody design.

We

We have no direct evidence, indeed, that Morton and Lethington communicated this affair to their friend Murray. We shall therefore leave it to the impartial reader, upon weighing all circumstances, to judge for himself of the probability of their concealing this secret from their bosom friend, hitherto so closely associated with them ; and who was himself, according to their schemes, to be the chief gainer by Darnley's death.----The part Murray was to play, as laid down by Lethington in the castle of Craigmillar, was, " to look through " his fingers, and behold their doings, saying no " thing."

The general report having loaded Bothwell with the murder of Darnley ; the earl of Lennox, by several letters, addressed the queen, to bring Bothwell, and other suspected persons to trial. The queen accordingly gave orders for trying Bothwell, as guilty of the murder ; and, by a letter of the twenty-fourth of March, requested Lennox to repair to Edinburgh, with his friends, the approaching week.

After this, we find the earl of Murray present at court till the ninth day of April, two days before Bothwell's trial was to proceed ; when, having obtained leave of the queen, he departed for France. Having lent his assistance in preparing matters for the farce that was soon to follow of Bothwell's trial, he most strictly adhered to his plan of retiring himself from the scene, leaving his faithful actors, Morton and Lethington, to perform the active part of the drama.

On the twenty-eighth of March, we find the queen desiring the advice of her nobles and privy-council ; and the act of council of that day ordains trial to be taken against Bothwell, upon the

twelfth day of the April following, before the high court of justice at Edinburgh.

Besides the above letter of the queen to Lennox, of the twenty-fourth of March, desiring his immediate presence, with his friends, at Edinburgh, the act directs public intimation to be made to the earl, to attend on the said twelfth of April, the day of trial.

Lennox, in consequence of these intimations, set out from his house near Dumbarton, which was but forty miles distant from Edinburgh, and came to Stirling, from whence he wrote to the queen upon the eleventh of April, the very night before the trial, excusing himself for not appearing there, on account, as he pretended, of his falling sick on his journey. At the same time he complained of the shortness of time allowed him for convening his friends, and requested the day of trial to be adjourned. This sudden change and resolution of the earl of Lennox coming rather too late, the trial notwithstanding proceeded.

It has been thought by many, that the whole procedure, at this trial, was altogether a sham, in consequence of a premeditated scheme, contrived to have Bothwell acquitted, and the whole managed by Morton and his party.

The next event, brought about by the management of the very same persons, headed by Morton, is the famous bond signed by him and the other nobles who at that time attended the parliament. In which deed they assert Bothwell's innocence, they promise to stand by him and support him with their lives and fortunes; and, to sum up all, they, with one voice, recommend him to the queen, as the most proper person she could chuse for a husband; and, if she would deign to elevate him to that high rank, they undertake to promote the marriage,

marriage, and support him with their whole power against all mortal.

"This infamous bond," says doctor Robertson very justly, "leaves a deeper stain, than any occurrence of that age, on the honour and character of the nation."

This bond is said, by the earl of Murray's party, to have been procured by Bothwell in the following manner: The parliament was dissolved on the nineteenth of April, that night Bothwell invited the whole nobility to an entertainment; when, having filled the house with his friends, and surrounded it with armed men, he, by that means, prevailed with all that were present to sign the bond.

It is scarce possible for the wit of man to devise words more binding by every tie, human and divine, than those of the bond, subscribed by Morton and the Scotch nobility, in order to induce the queen to this ill advised and fatal marriage. Yet, what a shocking reflection upon the human heart! is it, to think, that even Morton himself, one of the principal ringleaders in the association, should within little more than a month of this most solemn deed, rise in arms against his sovereign, head a rebellion, and dethrone and imprison her, upon this remarkable pretext, That, by her ungodlike and dishonourable proceeding, in a private marriage with (Bothwell) suddenly and unprovokedly, — it is certain she was privy, art and part, of the murder of the king.

The most exceptionable step in queen Mary's conduct, appears to be, her consenting to marry the earl of Bothwell, the person aspersed with being concerned in the murder of the lord Darnley. That Mary believed him innocent, and that the strange association of the nobility in his favour, must



must have served to confirm her in that opinion, must be acknowledged. At the same time, to acquit her of indiscretion, in giving way to his solicitation in his favour, and suffering herself to be prevailed with to follow so imprudent a measure, is a task we shall not attempt. That fatal step gave to her enemies, who lay in wait to undo her, every advantage, and hastened her ruin.

No sooner was this unhappy marriage concluded, than Morton, Lethington, and the rest of the party, hitherto the pretended friends and adherents of Bothwell, began quickly to throw off their masks; these very men, the associates of Morton, who had been the chief instruments employed in the mock trial, and acquitting of Bothwell for the murder of the king; who had brought about the infamous bond, asserting Bothwell's innocence, addressing the queen to marry him, and solemnly binding and engaging themselves to support him with their lives and fortunes; these were the men who, immediately after the marriage, formed an association against the queen and this very Bothwell; and, so closely had they carried on their measures, that, within three weeks after the marriage, they were ready to have made the queen and Bothwell prisoners in her own palace.

The queen and Bothwell having a hint given them of the conspiracy against them, they, on the sixth of June, made a very narrow escape from Holyrood house, and came to the earl of Bothwell's castle of Borthwick, from thence they went to Dunbar; and, in a few days after, the queen having hastily called together a handful of such of her subjects as could be easily convened, she and Bothwell marched towards Edinburgh, and were met by the earl of Morton and his party, with a  
far

far superior force at Carberry hill, about five miles from that city.

Many of the nobility, such as Athol, Mar, and others, from a real conviction of Bothwell's being principally concerned in the late king's murder, and apprehension of danger to the young prince, had by this time joined with Morton and his party.

An interview was brought about between the queen, and sir William Kirkaldy of Grange, on the part of the rebels, who required no other terms than those of her dismissing Bothwell from her presence, and promising, on that condition, all dutiful obedience to the queen. She, relying on the faith of this treaty, and to avoid bloodshed, directly went over to the opposite army, and delivered herself implicitly into their hands. How well these gentlemen kept their faith, shall be shown.

Dr. Robertson has, in very strong colours, painted the vile indignities offered to this unfortunate prince's, and the shocking spectacle exhibited to an influenced rabble, of a crowned head, dragged along the streets of her own capital like a malefactor. As the picture is masterly and well painted, the reader will not be displeased with a view of it in this place.

The doctor introduces his narration in these words: "As soon as Bothwell retired, Mary surrendered to Kirkaldy, who conducted her towards the confederate army: the leaders of which received her with much respect, and Morton, in their name, made ample professions of their future loyalty and obedience. But she was treated by the common soldiers with the utmost insolence and indignity, they poured upon her  
"all

“ all the opprobrious names commonly bestowed  
 “ on the lowest and most infamous criminals.  
 “ Wherever she turned her eyes, they held up be-  
 “ fore her a standard, on which was painted the  
 “ dead body of the late king, stretched on the  
 “ ground, and the young prince kneeling before  
 “ it, and uttering these words, ‘ Judge and re-  
 “ venge my cause, O Lord!’

“ Mary turned with horror from such a shock-  
 “ ing spectacle; she began already to feel the  
 “ wretched condition to which a captive prince is  
 “ reduced. She uttered the most bitter com-  
 “ plaints; she melted into tears, and could scarce  
 “ be kept from sinking to the ground.

“ The confederates carried her towards Edin-  
 “ burgh--- the streets were covered with multi-  
 “ tudes, whom zeal or curiosity had drawn toge-  
 “ ther to behold such an unusual scene. The  
 “ queen, worn out with fatigue, covered with  
 “ dust, and bedewed with tears, was exposed as a  
 “ spectacle to her own subjects, and led to the  
 “ provost’s house; and, notwithstanding her in-  
 “ treaties, the same standard was carried before  
 “ her, and the same insults repeated.”

The doctor adds: “ The people beheld the  
 “ deplorable situation of their sovereign with in-  
 “ sensibility; and, so strong was their persuasion  
 “ of her guilt, that the sufferings of their queen  
 “ did not in any degree mitigate their resent-  
 “ ment, or procure her that sympathy which is  
 “ seldom denied to unfortunate princes.”

On this pathetic description of Dr. Robertson,  
 we shall beg leave to make a remark or two: He  
 is pleased to say, that Morton and his friends, the  
 leaders of the band, received the queen with  
 much respect, and made ample professions of their  
 future loyalty and obedience, but that the com-  
 mon soldiers treated her with insult and indignity;  
 and,

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and, according to the doctor, we are to understand, that all the insults and indignities offered to the queen, were from the common soldiers and the mob. But a very little attention to the circumstances attending this affair, will easily convince us, that Morton and his associates, the leaders, conducted the whole; and that the mob, who thus openly insulted their sovereign, were influenced and spirited on by them.

Neither the mob, nor the soldiers, could have directed the queen to be exposed in so indecent a manner, carried along the streets of Edinburgh, and lodged in the provost or mayor's house, which was situated in the upper or higher part of the city, when the queen's own palace of Holyrood-house was situated at the lower or east end of the city, and directly in the road from Carberry-hill. The shocking standard too, a device previously contrived to influence the rabble against their queen, was above the reach of thought or invention of a blind mob, and, to demonstration she, from what quarter it came, and that nothing in the power of human invention, was omitted to influence the king and his associates, to influence the people, by instilling commonalty against their queen, to excite every sentiment of pity or compassion for her miserable situation to which they had reduced her, and to excite them to give their assent to the violent measures which were soon to be pursued.

It does not appear, that the doctor any au-  
thority for his conclusion, "That the- thority were  
"so strongly persuaded of the queen's gr , that  
"they beheld her sufferings with insensib y, and  
"did not in the least mitigate their resentment."

He quotes Melvin and Buchanan, in neither of which authors is such a passage to be found; on the contrary, even Buchanan himself gives a very different conclusion to the story: "Cum vero, la-  
" cryma-

“crymabunda, per fenestram in publicum prof-  
 “piceret, et concursus populi eo fieret, nec de-  
 “essent, qui hanc subitam fortunæ mutationem  
 “commiserarentur, vexillo, quod diximus, ob  
 “oculos exposito, statim oclusâ fenestra, se intro  
 “proripuit.”

This account exactly agrees with Crawford's ma-  
 nuscript; the words of which are: “The honest  
 “fort among the citizens, stung with remorse and  
 “pity, crowded to the place, and had certainly  
 “set her at liberty, if the conspirators, who knew  
 “the honest temper of the queen, had not, with a  
 “well-feigned grief, protested, they were sorry  
 “they had given her such cause of complaint, and  
 “that they would instantly restore her to her pa-  
 “lace of Holyrood house.”

This they accordingly did that evening; but,  
 to prevent any attempt of a rescue, she was, says  
 bishop Lesly, “in the night privily conveyed, and  
 “with haste, in disguised apparel, to the strong  
 “fortreſs of Lochleven, and, after a few days,  
 “stripped and spoiled of all her princely attire-  
 “ments, and clothed with a coarse brown cas-  
 “sack.”

We have only to add, that the person who un-  
 dertook the infamous office of carrying his sove-  
 reign a captive to her prison, was the lord Lindsay,  
 Morton's close friend, who had been a confederate  
 with him in the murder of Rizio, for which the  
 queen had generously pardoned them both, and  
 recalled them from banishment only six months  
 before this period.

The pretence given out by Morton and his as-  
 sociates for taking arms against the queen and  
 Bothwell, was to revenge the king's death, and  
 to prosecute his murderers, and chiefly Bothwell,  
 whom they asserted to be the chief person con-  
 cerned in it. Notwithstanding, upon the queen's  
 deli-

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delivering herself into their hands at Carberry-hill, on the fifteenth of June, 1567, although they broke their faith to her, and sent her prisoner to Lochleven, yet they allowed the earl of Bothwell to retire from the field almost alone, without attempting to follow him. He went straight to Dunbar castle, where he quietly continued until the 26th of June; at least, of that date, we find an order of Morton and his council for summoning "the keeper of Dunbar castle to surrender the same, because the earl of Bothwell was reset and received within the said castle."

This was surely a civil intimation for this alleged criminal to shift his quarters; how long after this he chose to abide there, does not appear. Some time after, as high admiral of Scotland, he went to sea, with some few ships under his command, and cruized along the northern coast, till the eleventh of August, that a commission was issued to Murray of Tullibardine and sir William Kirkaldy of Grange, to provide ships, and "to pursue the earl of Bothwell, by sea or land, by fire and sword." In consequence of which, a fleet being sent after him, Bothwell fled to the coast of Denmark, where, by some of the king of Denmark's ships, he was taken prisoner and carried to Denmark.

"They were glad (says Crawford's manuscript) of his escape from Carberry-hill, for no man pursued him, nor did any offer to attack him at Dunbar, whither he retreated and staid at least fourteen days; and, indeed, if Grange had taken him at Orkney, it is more than probable (lest he had betrayed his accomplices) that he had been sacrificed on the spot."

The confederates having thus secured the queen a captive in their own hands, and expelled Bothwell the kingdom, they completed their scheme,  
by

by wresting the reins of government from their sovereign, and seizing them into their own hands.

What follows does not belong to our present plan; in which nothing more is intended than to give some comparatory descants upon the different accounts given of this queen by historians.

The part the confederates, with Murray at their head, acted in accusing the queen of the murder of lord Darnley, before queen Elizabeth, by which Murray secured himself, by Elizabeth's means, of the regency of the kingdom, has already been shown. And thus matters rested as to any further enquiry after Bothwell, during Murray's life.

After the death of the earl of Murray, the earl of Lennox, father to the lord Darnley, having succeeded him in the regency, he sent over, in the year 1570, one Thomas Buchanan, as his minister to the court of Denmark, to solicit that king to have the earl of Bothwell sent home and delivered up to him: this embassy had not the effect of procuring the earl of Bothwell to be delivered up; we learn, however, that Mr. Buchanan sent over an account of his transactions to his master Lennox, which, it is probable, contained some particulars from the mouth of Bothwell relating to the murder. These, it would appear, were not thought proper to be exposed to light.

The earl of Morton, at this time was at London, negotiating to have queen Mary still detained prisoner. It is probable, that this embassy of Buchanan's to Denmark was not relished by him. He appears to have been suspicious of some discoveries from that quarter. He had the address therefore, to intercept the above packet from Buchanan, and the boldness to open and peruse the contents,

contents, though addressed to his master Lennox himself only: for proof of this fact, we have Morton's own letter to the regent Lennox still preserved, though Buchanan's account from Denmark is not to be found; but, as Morton himself soon after succeeded to the regency, this may easily be accounted for: Morton's letter to the regent is in these words:

“ We resavit a letter written furth of Denmark  
 “ be Mr. Thomas Buchanan to your grace, of  
 “ date the twentieth of January; and, because we  
 “ judgit that some things might be specified  
 “ thairin quhilk were expedient to be remembered  
 “ upon here; we tuke the boldness to open and  
 “ read the letter, quhilk it may pleis your grace  
 “ presently to resave. The cause why it has been  
 “ so long in sending was, that we thought not  
 “ best to commit it to the through post, or a com-  
 “ mon messenger: for that we had na will the  
 “ contents of the same suld be known, fearing  
 “ that some words and matters mentioned in the  
 “ same, being disperfit heir as novellis, suld rather  
 “ have hindered than furthered our cause; and  
 “ thairfor, being desirrit at court to show the let-  
 “ ter, we gave to understand, that we had sent  
 “ the principal away, and deliverit a copy, omit-  
 “ tand sic things as we thought not meet to be  
 “ shawn, as your grace may perceive by the like  
 “ copy, quhilk also we have sent you herewith,  
 “ quhilk ye may communicate to sic as your grace  
 “ thinks not expedient to communicate the hail  
 “ contents of the principal letter unto.”

This letter is signed by Morton, and likewise by the abbot of Dunfermline and Macgill, two persons whom we have already seen employed as useful instruments to Murray and Morton, parti-



cularly as judges in the trial of this very Bothwell, and soon after employed as commissioners in accusing the queen at the conferences of York and Westminster. This noted letter, signed by these three confederates, is dated the twenty-fourth of March, 1570, that is, above two months after the date of Thomas Buchanan's letter to Lennox: from which it is plain, that Morton and his associates must have kept this letter in their hands above a month, before they were pleased to send it down to Scotland to Lennox, to whom it was addressed.

For what purposes Morton intercepted, and detained so long this letter from Denmark in his hands, and why he was pleased to deliver a false and imperfect copy, even to his good friend queen Elizabeth, and her minister Cecil, omitting some matters, contained in this letter, that were not meet (as he acknowledges) to be shown, seem to be pretty obvious; and, it is left to others to determine, how far this whole manœuvre of Morton, with respect to the intercepting this packet to the regent, breaking it open, detaining it for several weeks in his hands before he sent it to Lennox, concealing the contents, and taking upon him to deliver to the English court a false copy, or, indeed, to deliver any copy at all, does not carry the strongest suspicion, that the original letter sent from Denmark, contained matters of great importance relating to the murder, and particularly against Morton himself, and the whole party; and if for that reason he might not have abstracted part of the contents, and even falsified the original, which he was pleased to send to Lennox, for the same very reasons which induced him to falsify the copy, which, he owns himself, he gave in to the English court.

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The opening a letter from an ambassador at a foreign court, to his master the regent of Scotland, without authority, must convince every mortal, that Morton must have been under the greatest inquietude and suspicion, that the contents were of the utmost importance, and contained some dangerous discoveries relating to himself, which could induce him to venture upon so gross a practice; and, his keeping up the letter for so long a time in his hands, under the poor pretence of not trusting it with a common messenger, is a convincing proof, that, during that time he was practising upon it, and that it was not without design that he kept this letter all this while in his hands.

Lennox continuing to solicit the king of Denmark to send over Bothwell to be tried, queen Elizabeth likewise was pleased to urge the same request. That king, by a letter sent to the earl of Lennox, agreed to send over Bothwell upon these conditions, that queen Elizabeth should become bound, and likewise the estates of Scotland, by solemn writings, to be sent to Denmark against the twenty-fourth day of August, 1571, that the earl of Bothwell should have a fair trial. This letter Lennox sent to queen Elizabeth for her advice, by a letter of the twenty fifth of May that year; but the security for Bothwell, demanded by the Dane, not being sent, that affair was of consequence dropt altogether.

We shall add nothing here concerning the duke of Norfolk, as a particular account of all that relates to his trial, has been given in the foregoing number.

Murray having suspected Lethington as one that was in queen Mary's interest; "he apprehended, (says Crawford's memoirs, p. 133.) "Lethington had conspired with the duke of  
E c 2 " Norfolk

“ Norfolk to effect the restoration of the banished “ queen.” Murray therefore wanted to take him off, as he had done the duke of Norfolk : in bringing this about, however, it required all Murray’s cunning and address ; Lethington had been too long his confederate for Murray to venture openly to provoke him to take a desperate measure, and disclose their joint schemes of iniquity. It was necessary therefore, that the accusation against Lethington should come from another quarter.

The earl of Lennox was under no such restraint ; his dependant, the famous Thomas Crawford, whom he had before brought as evidence against the queen, appeared before Murray and his council, and accused Lethington as accessary to the late king’s murder : Lethington was thereupon imprisoned. Sir William Kirkaldy, of Grange, one of Lethington’s friends, was then governor of the castle of Edinburgh ; they both suspected Murray to be at the bottom of this scheme, and told him so.

Lethington, and his friend Grange, were not, however, by smooth speeches, convinced of the sincerity of Murray’s intention : a message was sent by Grange to the regent, desiring the like justice to be done upon the earl of Morton, and Mr. Archibald Douglas. Grange himself offered to fight with Douglas and the lord Herries, with the earl of Morton, on that head, “ that they “ were in the council, and consequently art and “ part of the king’s murder.”

To this challenge no answer was made : “ only “ the regent still continued to alledge, that the “ lords had taken Lethington against his will.” Grange, however, thought it best not to trust to Murray’s fair words, he therefore sent a party from  
from

from the castle, and took Lethington into his own hands; and so this affair ended.

The earl of Murray being shot, at Linlithgow, in January, 1570, his friend, the earl of Morton, now at the head of the party, took upon him immediately thereafter to call a meeting of the nobility, especially such, says Crawford, as were the queen's enemies. The friends of the queen, upon this, desired the meeting to be adjourned for some time, that the whole nobility might have intimation and time to attend this convention.

Notwithstanding, Morton and his friends met on the day appointed, when the first thing Morton got done, was an act of the convention, absolving secretary Lethington from the late accusation brought against him, as accessory to the late king's murder; "and recognoscings him, as an honest man, in his own place again; and as a good and profitable instrument in this common weill." After this the earl of Lennox was declared regent of the kingdom.

Notwithstanding this absolution of Lethington, the very same year the regent Lennox dismissed the secretary from his offices; proclaimed him a traitor on account of the late king's murder; and an act of forfeiture was passed against him.

As Morton was the regent's chief minister at that time, Lethington, with reason, accused Morton as the cause of his forfeiture. The letters that passed between them on that head, which are still preserved to us, are curious, and give great light into this matter. Lethington wrote to his friend, the laird of Carmichael, the following letter, which, it appears, was shown to him by Morton:

"He (Morton) was the chief procurer and solicitor of my pretended forfeiture, for a crime  
 E c 3 "whereof

“ whereof he knows in his conscience I was as innocent as himself.”

Morton’s answer to Carmiachel is as follows :

“ When it shall be considered who had the government, and for what cause the forfeiture passed, I think they will not esteem me the chief procurer or solicitor thereof; for, the earl of Lennox being the regent, having the administration of justice in his hands, and the cause being the murder of the king his son, it might be well thought that there needed little procurement or solicitation.-----That I know him innocent in my conscience as myself! the contrary thereof is true; for I was and am innocent thereof, but could not affirm the same of him, considering what I understood of that matter of his own confession to myself.”

This was very plain language between these confederates, now upon the point of quarreling; but they knew they were still in the hands of friends. If Morton had himself been entirely innocent, and knew Lethington to have been guilty of the king’s murder, what could induce him, in the act of his convention, 1570, to procure this murderer of the king to be then absolved of the crime, and recognized as an honest man? Only this, surely, that Lethington, at that time, was his friend and confederate; afterwards it seems he fell out with him, and had the influence with the regent secretly to procure Lethington’s forfeiture; but, for fear of provoking him to a full discovery of their joint crimes, he durst not openly act against him.

When we see Morton acting in this underhand manner, with regard to Bothwell and Lethington, during the government of the earl of Lennox then regent, we may justly conclude that, when he  
himself

himself came to succeed as regent of the kingdom, all care would be taken by him to stifle and smother every means of proof, and appearance of his guilt, during the many years of his regency, in which he acted without controul; and, by the most oppressive measures, had amassed a prodigious treasure, while he kept the young king, in a manner, a prisoner in his hands. As the king, however, grew up, and became capable to distinguish his friends, Morton, with regret, beheld them by degrees surround the king, while his own party dropt off from him: he chose, therefore, to make merit of necessity, by resigning the regency; and he had no sooner taken that step, than an accusation was brought against him, to the king and council, as accomplice in the murder of the lord Darnley, the king's father.

Morton was, upon the first day of June, 1581, brought to a trial before his peers. The earl of Montrose sat as chancellor: and, upon a full proof of the crime for which he stood indicted, they unanimously pronounced the following verdict: "The jury being ripely advised with his indictment, the tokens infallible and most evident, with the probations produced, and used for verifying thereof, did all, with one voice, find the said earl of Morton guilty, art and part, in the foreknowledge, and concealing the king's murder."

What were the particular proofs and evidences which appeared against him, cannot with certainty, be known, the records being lost. David Moyse, a contemporary author, then one of the officers of the king's household, in his Memoirs thus informs us, That the jury of peers found Morton guilty, "in respect of sundry evidences of his indictment,

“ presented to the jury, some whereof were subscribed with his own hand; and that likewise it was verified by the depositions of some persons that were actors in that horrible fact.”

Morton's chief instrument and confident was one Archibald Douglas, whom, from being parson of Glasgow, Morton, after the murder of the king, had raised to the dignity of a lord of session, and constantly employed as a tool in all his affairs. This man was universally known to have been one of the chief actors in the king's murder. Upon the earl of Morton's being accused, this Douglas, his confident, immediately fled out of the kingdom, and made his escape. One of his servants, John Binning, was apprehended and brought to trial, for assisting with his master in the murder. Binning, at his trial, confessed his being an accomplice, and that he was present with his master, Douglas, at the murder of the king, with this circumstance, that his master, being in his slippers, lost them, and they being found on the spot next day, were known to be his.

The earl of Morton was condemned, and beheaded on the second of June, 1581; and Binning was hanged the day after.

We have a narrative given us in Crawford's Memoirs, of what Morton is said to have declared, as to his knowledge of the king's murder, while he lay under condemnation. This narrative was given out after his death, by some of the clergy, who had attended him after his condemnation. It is alledged, by the writers on the queen's side, that little faith ought to be given to this pretended narrative, which is no ways authenticated as the genuine confession of Morton himself, but delivered

to us verbally, and at second hand, by his friends after his death.

It is certain that Morton, at all times, found his account in keeping well with the clergy, who, in every turn of affairs, were his and Murray's great support. What discoveries, therefore, he might have made at his death, or how far the narrative of his confession, as given us by these his friends only, is true, or if it contains the whole of what he truly did confess, may be justly called in question.

This confession, as given us by Crawford, is as follows :

“ That, upon his return from England, whither  
 “ he had been banished for the murder of Rizio,  
 “ Bothwell came to him at Whittingham, and  
 “ proposed the murder of the king to him, al-  
 “ ledging it was the queen's desire to have him  
 “ dispatched, as the principal author of Rizio's  
 “ death ; and desired his assistance in the affair  
 “ to which he replied, that, if he (Bothwell)  
 “ would bring it under the queen's own hand, he  
 “ might then probably engage in the business ;  
 “ but, that, though Bothwell often laboured to  
 “ draw him in, and promised to bring the queen's  
 “ own hand writing, yet he had never been able to  
 “ procure any such thing ; and, if he had, he  
 “ (Morton) was resolved not to have meddled in  
 “ it. As for Mr. Archibald Douglas, his cousin,  
 “ he said, he knew he was engaged in the murder  
 “ before it was committed ; and that, after it was  
 “ done, he told him, that he had accompanied  
 “ Bothwell and Huntly to the place, and assisted  
 “ them in the execution of the fact.”

Morton



Morton pretended that he durst not tell the king, as he would have discovered his author to the conspirators, and thereby his own life would have been in danger.

It may be asked, Could he not have revealed it then to the earl of Lennox, the king's father, and to his good friend the earl of Murray, and others of the nobility, who were at all times more than a match for Bothwell and his party, even though the queen had been in the conspiracy? But this story of the queen's being in the plot, he had no reason to believe from Bothwell's account; and he must have been convinced of the falshood of his story, from his not being able to show him any thing under the queen's own hand, as his authority for saying so.

On the contrary, what was the part he acted? Although he confesses his knowledge of Bothwell and his cousin Douglas being the murderers, he was one of the most active managers for the earl of Bothwell, in getting him acquitted at his trial for this very murder; and soon after joined with several of the nobility in subscribing a bond, asserting his innocence of the murder, and that they would assist and defend him with their bodies and goods against all gainfayers; and, finally, recommend him as a fit husband for the queen. In the same manner he acted with Lethington: we have it fairly acknowledged by Morton's own hand writing, that he knew Lethington to have been one of the king's murderers; notwithstanding, by the formal act of convention, he procures a reversal of Lethington's forfeiture on that account, and obtains him "to be recognised as an honest man."

And, lastly, as for Douglas, his cousin, whom he also confesses owned to him his being an actor  
in

## MARY Queen of SCOTS. 425

in the murder; he after that promoted him to be one of the lords of session, and employed him as his confident and tool, to the very day of his impeachment, when Douglas made his escape.

But we have little occasion to argue here on probabilities, against so defective an evidence as this verbal confession of Morton, no ways authenticated, but delivered to us at second hand by his friends of the clergy, when we have a direct proof of his actual guilt: to wit, the verdict of his peers, unanimously finding him guilty, upon a positive proof brought before them, by writings subscribed by his own hand, and likewise by the depositions, as Moyse affirms, of persons who were actors in that horrible scene.

Thus have we, step by step, traced the three confederates, Murray, Morton, and Lethington, through the several mazes of their intrigues, from the queen's return from France, to the fatal period of the murder of the lord Darnley her husband; and from thence to the death and execution of the earl of Morton, as accomplice in that murder.

First, we have shown, by the united testimonies of sir Nicholas Throgmorton, queen Elizabeth herself, Camden, and secretary Lethington's own letter, that, on queen Mary's return from France into Scotland, a plot was formed by Murray and Lethington, for having her intercepted in her voyage, and made prisoner by the English, in order to set Murray at the head of the government, and that a fleet was actually sent out by queen Elizabeth for that purpose.

2. That, on Mary's resolution to marry the lord Darnley, an insurrection was made to prevent it by the earl of Murray and his adherents, and an attempt

tempt to seize her and Darnley at the kirk of Beith; which being frustrated, an open rebellion was raised, and headed by Murray, that terminated in his banishment.

From the letters of Randolph, the English minister, then at Edinburgh, who was acquainted by the conspirators with the whole plot; and likewise from the declaration of some of the nobility who had joined with Murray in that rebellion, it is proved, that their design was, at that time, to have slain the lord Darnley, and to have sent the queen prisoner to Lochleven.

3. It is proved, That, while the queen was far advanced in her pregnancy, the assassination of Rizio was conspired by Morton, and executed by a party of armed men rushing into her presence and stabbing him at her very foot. And it is also proved, by the acknowledgment of the conspirators, by Morton's letter to sir Nicholas Throgmorton, and by the earl of Murray's appearing at Edinburgh within a few hours of the assassination, although he was then under banishment in England, that he and Lethington were deeply engaged with Morton in this assassination and conspiracy.

It is proved, by the authentic declaration of a great part of the nobility of Scotland, in their instructions sent up to England, anno 1568, and likewise by the protestation and declaration of the earls of Huntly and Argyle, that, in order to procure Morton's being recalled from banishment, on account of Rizio's assassination, the earl of Murray and Lethington, in presence of Huntly and Argyle, proposed to the queen, to procure a divorce from her husband, and to make her quit of him, which she rejected: and, within a few weeks  
thereafter

dered.

Such is the complicated evidence, that appears against the joint confederates, Murray, Morton, and Lethington, preceeding lord Darnley's murder, in which the earl of Murray is plainly pointed out to have been at the head, and in the direction of the whole conspiracy, until the very period of the king's murder, that he withdrew himself, and soon after left the kingdom, and the management of the succeeding part of the scheme, to his friends Morton and Lethington, who, by their rebellion and imprisonment of the queen, secured for him the regency of the kingdom.

It must still, however, be acknowledged, that there is no direct proof of Murray's being an actor in the murder of lord Darnley: but, when the whole of his conduct, which we have traced and detected, is considered, there appears the strongest presumptive evidence of his being accessory and privy to the whole affair.

Whoever then shall consider the whole of Murray's conduct, his rebellions, plots, and conspiracies; and, that, by a constant and invariable prosecution of his pernicious plan, he at length obtained the full completion of his scheme, by dethroning his sovereign, possessing himself of the reins of government, and by that means having it in his power to smother and put out of the way all proof or evidence that might tend to discover his own guilt, with the remarkable caution observed by him, in taking care to withdraw himself from the scene, at the precise time always when the decisive events were ready to fall out, must, for these reasons, plainly see, that the foregoing presumptive proof against Murray, from circumstances, is the

the only one which, from the nature of things, can at this day be expected. To this, however, we may add a direct proof of his using false evidence against the queen, in the case of Nicholas Hubert, or French Paris's confession, which has been shewn to be false, and that the same came directly from the hand of Murray.

The evidence is much stronger, however, with regard to his two associates, Morton and Lethington. The same presumptive proof as against Murray, not only appears against them, but we have likewise a positive proof joined to it against each of these associates; viz. the mutual retorted accusation of each of them against the other, joined to the act of forfeiture against Lethington, by the regent Lennox, and the indictment, verdict and sentence, passed by the peers of the kingdom against Morton, as an accomplice in the king's murder, together with his own confession, that he was in the knowledge of the murder.----So full and direct is the proof of their guilt.

From all which it is submitted to the judgment of the reader, whether these conclusions do not naturally follow: viz.

That, as it is proved, that the confederates, for taking away the king's life, were Morton and Lethington, the very persons who afterwards brought an accusation against queen Mary for that very crime; therefore she herself could not have been in that confederacy, nor guilty of that crime.

Secondly, As it is proved that Murray, Morton, and Lethington, had been, from the queen's coming to Scotland, joint confederates in a series of plots, conspiracies, and rebellions, against her and her husband, until the very eve of the king's murder.

murder. As they had unanimously accused the queen, of that very crime, of which, it is proved, that, at least, Morton and Lethington were themselves accomplices : and, as, in support of their accusation, this triumvirate had produced spurious and forged writings ; and, by all these means, had dethroned their sovereign, and possessed themselves of the government : for these reasons, therefore, the three confederates, Murray, Morton, and Lethington, should be held, one and all of them, as guilty of the crime of which they had unjustly accused queen Mary.



T H E  
L I F E   A N D   D E A T H  
O F  
T H O M A S   H O W A R D.

**A**S many particulars of the history of this unfortunate nobleman are to be found in our former article, we shall content ourselves with giving the reader a succinct account of the most material circumstances of his life.

Thomas Howard, the third duke of Norfolk, was grandson of Thomas, the second duke of Norfolk, lord high-treasurer in the reign of king Henry VIII. and son of Henry, earl of Surry, who was beheaded in the latter part of that monarch's reign, for quartering the arms of Edward the Confessor with his own, without the king's permission.

Thomas, his son, was born about the year 1536, and, at the death of his grandfather, in 1554, succeeded to his title as duke of Norfolk; and the same year, upon the insurrection of the people of Kent under sir Thomas Wyatt, in order to oppose queen Mary's marriage with Philip, king of Spain, he was sent with a small body of her majesty's guards, and about five hundred Londoners, to quell the rebellion.

Shortly after queen Elizabeth's accession to the throne, he was made knight of the garter, and lieutenant-general of the northern parts of the kingdom;

kingdom ; and, on the twenty-seventh of February, 1559-60, concluded the treaty of Berwick between his majesty and the confederate Scots, to whose assistance he marched in the May following with a considerable reinforcement, in order to carry on the siege of Leith, which was surrendered to him soon after by the treaty of Edinburgh.

In the beginning of the year 1566, Charles IX. king of France, having empowered Mons. Rambouillet to confer the order of St. Michael on any two English noblemen that the queen should think worthy of that honour, her majesty made choice of the duke of Norfolk and Dudley, earl of Leicester, who were accordingly invested with it on the twenty-fourth of January. The ceremony was performed in the royal chapel at Whitehall with great solemnity.

In 1568, the duke was constituted one of the commissioners at York, for hearing the cause of Mary, queen of Scots ; but, having listened to the propositions made to him by the bishop of Ross, the earl of Murray, sir Nicholas Throgmorton, and the earl of Leicester, for marrying her, he incurred the displeasure of queen Elizabeth, who, upon his return from the conference at York, expostulated with him in very severe terms for attempting such a marriage without her knowledge ; and commanded him, upon his allegiance, to lay aside all thoughts of it. The duke solemnly promised the queen to obey her orders ; adding, by way of slight to the queen of Scots, that his revenues in England were almost equal to her revenues in Scotland ; and, that when he was at the tennis-court at Norwich, he thought himself upon a level with some kings : but, finding that the queen continued her resentment against



him; that the earl of Leicester was in a manner alienated from him, and that the greatest part of the nobility was become cold and regardless of his person, he was seized with great inquietude and dejection, and immediately quitted the court without leave, having formed a design to reside at Norwich till he could find means to remove her majesty's indignation by the intercession of his friends and his own submissive letters: but returning soon after to London, he was again examined concerning the marriage, and, having confessed most of the articles laid to his charge, was committed to the Tower.

He was released from that imprisonment the year following, and permitted to retire to his own house, the Charter house, in the custody of sir Henry Neville, upon his acknowledging that he had acted imprudently, and entering into an engagement under his hand not to concern himself further in the marriage without the queen's approbation.

Secretary Cecil, who was his friend, earnestly pressed him to marry some other woman as soon as possible, and by that means to remove all future suspicion.

† It was the opinion of many, that the duke was enlarged merely with a view of involving him in new and greater dangers; his confidants being, according to a practice too common in courts, corrupted to betray all his secrets; for, in the year 1571, a discovery was made that he had again engaged in the design of marrying Mary queen of Scots; and this discovery was occasioned by a packet of letters sent from Rudolpho, agent of the queen and the pope, to the bishop of Ross; and confirmed by the confession of Radcliff, a Fleming, who

who brought those letters; and of Higford, the duke's gentleman.

When examined before the council, he denied every particular, as he was entirely ignorant of what his servants had confessed. However, on the seventh of September, he was committed to the Tower; and, shortly after, Banister, his lawyer, the earls of Arundel and Southampton, the lords Lumley and Cobham, Henry Percy, Lowther, Powel, Goodere, and others, were imprisoned; who were easily induced, by the hopes of a pardon, to declare all they knew concerning the affair.

When the duke was informed of this, and was shewn the paper sent him from the queen of Scots, which he imagined had been burned by Higford, his confusion was not to be equalled: he exclaimed, that he had been betrayed by his confidants, from the want of a proper degree of distrust.

It has been said, that men of great souls are not naturally inclined to distrust, as they are apt to judge of others by themselves; but, though a distrustful temper is by no means the characteristic of a hero, experience evinces that it is a cardinal virtue in courts.

The duke finding himself detected, with the utmost humility entreated the lords to intercede for him with the queen; to whom, he protested, he never had the least thought of doing any prejudice.

On the sixteenth of January, 1571-2, he was brought to his trial in Westminster-hall, before George, earl of Shrewsbury, who sat as lord high-steward on the occasion, and twenty-five other lords.

The substance of his indictment was, That he had traiterously consulted to dethrone the queen, and to bring in foreign forces to invade the kingdom: that he had treated with the queen of Scots concerning marriage, in direct breach of his promise and to the hazard of the realm: that he had sent money to the earls of Northumberland and Westmoreland, who had rebelled against her majesty: that he had requested assistance of the pope, the king of Spain, and the duke of Alva, in order to set the queen of Scotland at liberty, and restore the popish religion; and, lastly, that he had sent supplies to the lord Herries, and others of the queen's enemies in Scotland.

Being found guilty of this charge, the queen, after having been a long time in suspense, signed a warrant for his execution, and he was accordingly beheaded on the second of June, on Tower-hill:

He confessed part of his faults, excused himself as to the rest, and, in general, owned he had been justly condemned: but he declared, that he had never any thoughts of restoring the popish religion in England, and that he died a protestant. Having made this declaration, he devoutly fell upon his knees, and, fixing his mind upon Heaven, he laid his head upon the block, which at one stroke was severed from his body, and by the executioner shewn as a melancholy sight to the afflicted spectators, whose regret was increased by the consideration of his noble presence and greatness, his affability and munificence, and by the remembrance, that his father, at the same place, had met with the same fate five and twenty years before.

He was thrice married; first, to Mary, daughter and one of the heirs of Henry Fitz-Alan, earl of Arundel, by whom he had one son, Philip; secondly,

condly, to Margaret, daughter and sole heir of Thomas, lord Audley, by whom he had two sons and two daughters; and, lastly, to Elizabeth, daughter to sir Francis Leiburne, knight, by whom he had no issue.

All those of the Howard family adhered to the catholic religion except this duke, who embraced the protestant in the beginning of queen Elizabeth's reign. Since he declared that he died in the reformed religion, there can be no reason to call his religion in question. But who can tell how far his ambition might have carried him, if he had found his projects more practicable? At least, it cannot be denied, that those who set him at work thought he might be relied on. After all, if any one doubted that the end of this conspiracy was to restore the popish religion in England, he might be satisfied by the testimony of Heironymo Catena, in the life of Pius V. That author, instead of clearing the pope, makes him glory in having been the promoter of this conspiracy, and boasts of having sent Ridolpho into England, to stir up the English to rebel against their queen.

T H E

L I F E A N D D E A T H

O F

JAMES DOUGLAS.

**J**AMES DOUGLAS, earl of Morton, and regent of Scotland, was second son of sir George Douglas of Pinky, brother to Archibald, earl of Angus, by Elizabeth, daughter and sole heir of David Douglas of Pittendrich. He was at first educated in a manner suitable to his rank, but, upon his father's being obliged to retire into England, his education was totally neglected; for king James V. had so great an animosity against the earl of Angus, sir George Douglas, and all their friends, that Mr. Douglas, sir George's son, was forced to live privately with a friend in the north of Scotland; and, in order to conceal himself the more effectually, assumed the name of Innes, and served a gentleman there in the quality of a steward, or chamberlain, for many years: but his father, and other relations, being restored after the death of king James V. Mr. Douglas appeared under his proper character, and shortly after married the lady Mary Douglas, second daughter of James, earl of Morton; and had the honour, as well as the estate, of the family settled on him and his heirs by that earl; and, upon this marriage, immediately became master of Morton.

In 1544, he held out the castle of Dalkeith till after the battle of Pinky, when he was obliged to  
surrender

surrender it, and was carried prisoner to England: and, upon his return home, led a retired life till the year 1553, when, upon the death of his father-in-law, he came to the title and full possession of the earldom of Morton, and was one of the first peers who exerted themselves in supporting the reformation of religion, and preserving the liberties of the kingdom, during the regency of the queen-mother: and, as soon as the French were forced to evacuate the country, by the assistance of the English, he was, together with the earl of Glencairn, sent by the parliament ambassador to England, to return thanks to queen Elizabeth for her seasonable supplies, and to establish a lasting peace between the two kingdoms.

During this embassy, the earl conciliated the favour of that princess to such a degree, that her friendship for him continued to the last, though it seems highly probable, that her zeal for him might have contributed to his ruin.

In 1561, upon queen Mary's return from France, he was appointed one of the privy-council; and, on the seventh of February, 1562, lord high-chancellor; in which post he continued for two years; after which he was forced to fly into England, on account of the part which he had in the death of David Rizzio, her majesty's French secretary, on the eighth of March, 1566: but he soon obtained a pardon by the intercession of the earl of Bothwell, though he was afterwards never admitted again to any degree of favour with the queen. However, he had so great a share in the confidence of Bothwell, that the latter imparted to him his design of murdering the king, and requested his assistance in it, representing it as an act that would be no less agreeable to the queen

than to himself: but the earl of Morton was shocked at the proposition, and refused to engage in the affair, without receiving an order from under her majesty's own hand for his security; and was actually at the distance of twenty miles from the place where that abominable action was committed. He moreover exerted himself to the utmost to bring Bothwell to punishment; and, upon his marriage with the queen, entered into an association with others of the nobility for the preservation of the young prince; and, upon her majesty's resignation of the government, was restored to his post of lord-high-chancellor, on the eleventh of November, 1567; and the year following appointed one of the commissioners for the king of Scots, to treat with queen Elizabeth's deputies concerning the reasons of the deposing queen Mary.

After this, the earl had the chief management of all the affairs in Scotland, and, upon the death of the earl of Mar, was, on the twenty-seventh of November, 1572, elected regent of the kingdom; and, having overcome all his enemies, settled a profound peace at home, entered into a strict alliance with England, took care to recover, and manage to the best advantage the revenue of the crown, and, by his conduct in general, gained both love and esteem to himself, with the reputation of a very wise and prudent governor. But he soon forfeited the good opinion that had been conceived of him by the methods to which he had recourse to enrich himself.

He began with the church, the clergy, who had great confidence in him, having been prevailed upon to resign to him the thirds of their livings. To gain this point, he had engaged that they should have their stipends paid with less trouble than

than before; and, that, if after all they should happen to dislike the new method of payment, he would restore them to their former condition.

The thirds being put into his hands, he resolved to make his own advantage of them. For this purpose, he assigned three or four churches to one minister, without encreasing his stipend; and, as for the readers, the salaries allotted them were scandalously small.

But this was only part of his scheme for amassing wealth, since he left no means unattempted for that end; which drew upon him the general hatred and envy: so that, growing at last very uneasy in his government, he thought proper to resign the regency in March, 1578.

This conduct of the earl's was highly imprudent; for, being thus divested of power, he soon found himself exposed to all the designs of his enemies, who pursued his destruction with unrelenting rigour, charging him, among other things, with a secret correspondence with queen Elizabeth.

At last, in December, 1580, he was committed to prison upon an accusation of having been an accessory in the murder of the king's father; and, though the queen of England interposed in his behalf, by her ambassador sir Thomas Randolph, yet he was brought to his trial on the first of June, 1581, and condemned to die.

He confessed the next day, to the ministers who were sent to him from the king, that, upon his return from England, whither he had fled after the murder of David Rizzio, the earl of Bothwell had proposed to him the murder of his majesty's father, urging that the queen was determined upon it, from the resentment she had conceived against him, for Rizzio's death, above all the rest who  
were



were concerned in it. That his answer was; That, being but juſt delivered from one great perplexity, he did not chuſe to involve himſelf in another, nor to have any ſhare in that buſineſs. That, upon Bothwell's inſiſting, that the queen would have it done, he required to ſee her majeſty's hand-writing for that purpoſe; which was never produced; and, if it had, he was reſolved to have abandoned Scotland till better times. That he knew, indeed, of his couſin, Archibald Douglas, being concerned in the murder, before it was committed as well as after; and therefore could not deny, that he had foreknown and concealed the ſame. But to whom ſhould he have revealed it, ſince the king, though he had been advertiſed of the danger, would never have believed it?

Upon this confession, his sentence was changed from hanging to beheading; which was executed the same day, and his head fixed upon the most conspicuous part of the Tolbooth, his body lying for several hours covered only with an old blue cloak, not one person appearing upon the place to shew his gratitude for any past favour, or to express the least sign of regret for his unhappy end.

Never was there seen a more remarkable instance of the mutability of Fortune, or a stronger proof of the truth of Juvenal's observation, that the populace always hate the condemned.

“ Sequitur Fortunam ut semper et odit dam-  
 “ natos.” Sat. 10.

Thus he, who a few years before had been respected by all men, and feared as a king, abounding in wealth, honour, and number of friends, was, at his death, forsaken by all.

# The

The earl of Morton was of a graceful person and countenance, though of a low stature. He had great personal courage, of which he gave many signal proofs during the civil commotions. He was wise, and possessed of great talents for government; a lover of justice, order and policy; but inclined to avarice, which is supposed to have arisen from the necessities that he struggled with in his early youth. He was also much addicted to sensual pleasure, which he acknowledged at his death with great remorse.



THE  
LIFE AND DEATH  
OF  
ROBERT DEVEREUX.

**R**OBERT DEVEREUX, earl of Essex, was a gallant soldier, a great favourite, and an unhappy victim to the arts of his enemies and his own ambition, in the reign of queen Elizabeth.

He was son to Walter, earl of Essex, and Lettice, daughter to sir Francis Knolles, who was related to queen Elizabeth, born November the tenth, 1567, at Netherwood, his father's seat, in Herefordshire, when that noble person had attained no higher title than that of viscount Hereford.

In his tender years, it is reported there did not appear any signs of an extraordinary genius in him, and one who was long in his service, and could not but be well acquainted with the secrets of the family, assures us, that his father died but with a very cold conceit of his abilities, which, some thought proceeded from his great affection for his younger son Walter Devereux, who, it seems, had quicker and more lively parts in his childhood.

When Walter, earl of Essex, breathed his last in Ireland, he recommended this son of his, then in the tenth year of his age, to the protection of Thomas Radcliffe, earl of Sussex, and to the care of William Cecil, lord Burleigh, whom he appointed his guardian.

Mr. Water-

*Devereux*



either for solidity of judgment, or for an easy and eloquent manner of expressing their sentiments.

Some bold writers have asserted, that, as Dr. Whitgift rose in his preferments, he sunk in the esteem of his pupil, who, as they would have us believe, conceived an early dislike to bishops; but such as knew the world well in these days, and had the fairest opportunities of knowing the earl, assert the direct contrary, and that he continued always to treat the archbishop as his particular friend, and to respect him as his parent.

In 1582, having taken the degree of master of arts, he soon after left Cambridge, and retired to his own house at Lampsie in South Wales, where he spent some time in privacy and retirement; and was so far from having any thing of the eagerness or impetuosity natural to youth, that, instead of being displeased, he became enamoured of his rural retreat; insomuch, that it was with difficulty he was prevailed upon to leave it.

His first appearance at court, at least as a candidate for royal favour, was in the seventeenth year of his age; when, however, he came thither, it is certain, he could not have hoped, or even wished, a better reception. He brought thither, amongst other strong recommendations, a fine person, an agreeable behaviour, and an affability which procured him many friends, besides the rare qualities of true piety, unaffected zeal for the public welfare, and a warmth and sincerity in his friendships, which entitled him to universal esteem. He, by degrees, so far overcame that reluctance which he is said to have shewn, to use the assistance of the powerful earl of Leicester, that, towards the close of the year 1585, he accompanied him, with many others of the nobility, to Holland; where we find him

him the next year in the field, with the title of general of the horse; and, in this quality, he gave the highest proofs of personal courage, in the battle of Zutphen, September the twenty-second, 1586; in which action sir Philip Sydney was mortally wounded.

It was for his gallant behaviour upon this occasion, that the earl of Leicester conferred upon him the honour of a knight-banneret in his camp.

On his return to England, it very quickly appeared, that the queen not only approved, but was desirous also of rewarding his services; and his father-in-law, the earl of Leicester, being advanced to the office of lord-steward of her majesty's household, she, on the twenty-third of December, 1587, made the earl of Essex master of the horse in his room.

In the succeeding year, which some have held the most critical of that reign, he continued to rise, and, indeed, almost reached the summit of his fortune; for, when her majesty thought fit to assemble an army at Tilbury, for the defence of the kingdom, in case the Spaniards had landed, she gave the command of it, under herself, to the earl of Leicester, and created the earl of Essex general of horse, shewing him, upon that occasion, not only as much countenance as his own high spirit could expect, but a degree of favour even superior to that of Leicester; so that, from this time, he was considered as the favourite declared; and, if there was any mark yet wanting to fix the people's opinion in that respect, it was shewn, by the queen's conferring on him the most noble order of the garter.

We need not wonder, that so quick an elevation, and to so great a height, should somewhat affect the judgment of so young a man; and therefore there will

will not appear any thing strange in the eagerness he is said to have shewn, in disputing the queen's favour with sir Charles Blount, who, in process of time, became lord Montjoy and earl of Devonshire; which, however, cost him some blood; for that brave man, taking distaste of somewhat the earl said of a favour bestowed upon him by the queen, challenged him, and, in Marybone-park, after a short dispute, wounded him in the knee; with which the queen, who did not love to be controuled in her actions, was so far from being displeased, that she swore a round oath, it was fit that some one or other should take him down, otherwise there would be no ruling him. However, she reconciled the rivals, and it will remain an honour to both their memories, that, professing themselves friends, they remained such so long as they lived together.

In the beginning of the year 1589, the earl of Essex took a very extraordinary step, which, how much soever it might encrease the reputation of his courage, did certainly no great credit to his prudence.

Sir John Norris, and sir Francis Drake, had undertaken an expedition for restoring Don Antonio to the crown of Portugal, which the earl beheld as an action too glorious for others to perform, while he was a spectator only. He followed the fleet and army therefore to Spain, and, having joined them at Corunna, prosecuted the rest of the expedition with great vigilance and valour; which, however, was not attended with much success, at the same time that it exposed him to the queen's displeasure.

At his return, however, he soon recovered her majesty's good graces; nor was it long before this was testified to the world, by his obtaining new marks of favour, in grants of a very considerable value;

value ; a circumstance in which his credit with the queen, seemed much superior to that of all her other favourites.

He had now lost the support of his father-in-law, the earl of Leicester, who died the preceeding year ; and who, though he was supposed to act the politician in preferring him to the queen's favour, (if, indeed, that was at all his work,) yet shewed the sincerity of his affection to him by several clauses in his will : notwithstanding which loss, he kept his ground at court, and, by caressing Mr. Cartwright and others, looked upon as puritans, seemed to affect becoming the head of that party, which adhered to Leicester while living.

About this time he ran a new hazard of the queen's favour, by a private, and, as it was then conceived, inconsiderate match with Frances, only daughter of sir Francis Walsingham, and the widow of sir Philip Sydney ; which her majesty apprehended to be, in some measure, derogatory to the honour of the house of Essex ; and though, for the present, this business was passed by, yet, it is thought, that it was not so soon forgot.

In 1591, Henry IV. of France, having demanded fresh assistance from the queen, though he had already a body of her troops in his service, she was pleased to send the earl of Essex, with four thousand men, a small train of artillery, and a competent fleet, into Normandy ; where it was proposed that he should join the French army, in order to undertake the siege of Rouen. The French king, however, either through want of power, the distraction of his affairs, or some other cause, neglected to perform his promise, notwithstanding that Essex made a long and hazardous journey to his camp, at that monarch's request, in



der to have concerted measures for giving the queen satisfaction.

Upon his return from this journey, which proved of little consequence, Essex, to keep up the spirit of his officers, conferred the honour of knighthood upon many of them:—A circumstance with which the queen was much offended. He likewise made excursions from his camp to the very walls of Rouen; and the earl, exposing his person very freely in these skirmishes, came off indeed, unhurt himself, but lost there his only brother, Walter Devereux, then in the flower of his age, being two years younger than the earl.

He returned some time after, to give an account of the state of things to the queen; and then came back to his charge, the siege of Rouen being formed, and the French king expressing a great desire to become master of it.

This winter service harrassing the troops exceedingly, provoked Essex not a little, who solicited king Henry for leave to proceed in his manner, promising to make a breach with his own artillery, and then to storm the place with the English troops; which the king, however, refused, as being not at all desirous of having that rich place taken and plundered by the English in his sight.

Essex, still more displeased at this, and resolved not to continue in a place where no reputation was to be got, first challenged the governor of Rouen, Mr. Villars, and, upon his refusing to fight, left the command of the English troops to sir Roger Williams, an officer of great courage and experience; and then embarked for England, where his presence was become very necessary, his enemies having represented his behaviour in a very indifferent light to the queen his mistress.

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It is very seldom that skilful courtiers are at a loss in framing general accusations against such as they would ruin, more especially if they have an opportunity of doing this in their absence.

Against the earl of Essex, his enemies insinuated, that, having carried a fine body of troops, under old and experienced officers, out of the kingdom, with a promise of great things; he had, nevertheless, done little or nothing: that, with some danger to himself, and much more to the troops, he had made a long journey to the French king; which ended in no more than an audience of compliment: that his fierce and hasty spirit had led him to those useless and dangerous excursions under the walls of Rouen, where he had lost an only brother, the queen a gallant officer, and the nation a person infinitely beloved: that, whereas he was sent abroad to serve his country, by reducing Rouen, which might serve as a place of arms, and a cautionary town for the security of English auxiliaries, he had suffered himself to be deceived by the French Monarch; had served him in the accomplishment of other designs, leaving this, for which he was sent, uneffected: and, lastly, that, notwithstanding his troops had been very little in service, they had suffered so much as not to be able to keep the field without recruits: so that, in all this time, the queen had been losing her subjects, and acquiring nothing.

But the earl of Essex defended himself with great sense and spirit against this accusation. He shewed that the inaction of the troops upon their first going over, was a great affliction to him, but far from being his fault, as he was continually labouring to persuade the king to comply with his agreement, and to undertake the siege of Rouen, which, if he could not bring about, it was far from

being a crime, though he knew it to be a misfortune: that, to remove this inaction, he made a hazardous journey to the king's quarters; in which he shewed his strong desire for accomplishing what he was sent for: that he had exposed himself in those excursions as much as any man; and, as he was principally wounded by the loss of his brother, so the credit of the nation, instead of suffering, was raised by that high esteem which the French expressed of the bravery shewn by the English in those encounters: that the assistance he had given the French king and his generals, was to remove those obstacles which prevented the siege: and which, if not removed, it had never been undertaken: that the loss which the army had sustained, was through the fortune of war, and not from any fault of his, arising chiefly from delicate, great inclemency of the weather, and the want of those conveniencies which the allies ought to have furnished, and which, notwithstanding all the instances he could make, had been neglected.

At this time he was exceedingly courted by very different sorts of people; for many of the young nobility, who were desirous of entering into the world under the patronage of some eminent person, preferred the earl; as well on account of his great affability to his followers, as because of his known interest with the queen. All the military men, that were not of very old standing, looked upon him as their chief, and one from whose favour they were to derive preferment. The puritan ministers also, and their dependants, considered him as the successor to the earl of Leicester, and, consequently, as their protector. One need not wonder, therefore, that, having such power, he had so many enemies, and that these

these should gain advantages over him in his absence : but upon his return, he triumphed for the most part ; and the queen, who looked upon herself as tied to him by former acts of kindness, seldom refused him any new marks of favour, for which he was importunate in his demands.

We find him present in the parliament which began at Westminster, February the nineteenth, 1592-3 ; in which session, chiefly through his interest, sir Thomas Perrot, who had married his sister, was restored in blood, which had been corrupted by the attainder of sir John Perrot, his father, who had been lord-deputy of Ireland : and in this session it was that the house of peers paid a very extraordinary compliment to the earl of Essex.

About this time, also, the queen, who had given him so many marks of her favour, added to them a new honour, which was, at the same time, a very high testimony of her confidence, by causing him to be sworn one of the members of her most honourable privy-council.

He met, however, in this, and in the succeeding years, with various causes of chagrin ; partly from the loftiness of his own temper, but chiefly from the artifices of those who envied his great credit with the queen, and were desirous of reducing his power within bounds.

Occasion was taken, in this respect, from a dangerous and treasonable book, written abroad by Persons the jesuit, and published under the name of Doleman, with intention to create dissention in England about the succession to the crown ; which book, as the whole design of it was most villainous, so, from a superior spirit of malice, it was dedicated to the earl of Essex, on purpose to create him trouble ; in which it had its effect.

But what chiefly grieved and broke his spirits, or, rather, sowed them, was his perceiving plainly, that, though he could, in most suits, prevail for himself, yet he was able to do little or nothing for his friends, as particularly appeared in the case of sir Francis Bacon; which, though the earl bore with some impatience, yet it gave him an opportunity of shewing the greatness of his mind, by giving that gentleman a small estate in land, which ought to have bound him better to his fortunes.

Indeed, the earl of Essex was never wanting, upon any occasion, to his friends, as many of the writers of those times agree, and of which Camden gives a remarkable instance in the year 1595, in his attending the funeral of sir Roger Williams, an old experienced officer whom he had long encouraged and supported; though the roughness of his behaviour had exposed him to the dislike of sir Walter Raleigh, and other considerable persons. But whatever disadvantages Essex might labour under from intrigues at court, yet, in times of danger, the queen had commonly recourse to his assistance.

Thus, in 1596, when the Spaniards, in the month of April, laid siege to Calais, and the discharges of their batteries were heard at Greenwich, an army was hastily raised, and marched to Dover, the command of which was given to the earl of Essex, the queen intending to have embarked these troops for the assistance of the French; which, however, they wisely declined, being willing rather to let the Spaniards keep Calais for a little while, than see it rescued from them by the English, who would, presuming on their old rights, probably keep it for ever.

The

The queen, however, taking advantage of that warm disposition which appeared in her people, to contribute, as far as in them lay, to keep the war at a distance, and to prevent the Spaniards from meditating a second invasion, ordered a fleet to be equipped for attacking Cadiz, best part of the expences being born by the principal persons engaged in that enterprize.

The command of this army and fleet was, with joint authority, intrusted to Robert, earl of Essex, and Charles, lord Howard, then lord high admiral of England; with whom went many of the most distinguished officers, both for the land and sea service, that were then in England; the council being composed of lord Thomas Howard, sir Walter Raleigh, sir Francis Vere, sir George Carew, and sir Conyers Clifford; the fleet, for its number of ships, and for the land soldiers and mariners aboard, being the most considerable that, in those times, had been seen.

On the first of June they sailed from Plymouth, but were forced to put back by a contrary wind, which changing, they took the first opportunity of putting again to sea. On the eighteenth of the same month they arrived at Cape St. Vincent, where they met with an Irish bark, which informed them that the port of Cadiz was full of ships, and that they had no notice whatever of the sailing of the English fleet, or that such an expedition was so much as intended.

After this welcome news they pursued their voyage, and, on the twentieth, in the morning, they anchored near St. Sebastian's, on the west side of the island of Cadiz, where the admiral would have had the forces debarked, in order to their immediately attacking the town; which Essex caused to be attempted, but found to be impracticable,

cable, and upon the advice of sir Walter Raleigh, desisted. Camden, indeed, charges this rashness upon Essex, but sir Walter Raleigh, who is certainly better authority in this point, states it the other way.

It was then proposed by the earl to begin with attacking the fleet, which was a very hazardous enterprize, but, at last, agreed to by the lord admiral; of which when Essex received the news, he threw his hat into the sea for joy. The next day, this gallant resolution was executed with all imaginable bravery, and, in point of service, none did better, or hazarded his person more, than the earl of Essex, who, in his own ship, the *Due Repulse*, went to the assistance of sir Walter Raleigh, and offered, if it had been necessary, to have seconded him in boarding the *St. Philip*.

The Spaniards behaved very gallantly, so long as there were any hopes; and, when there were none, set fire to their ships and retired.

The earl of Essex then landed eight hundred men at the Puntall, and, having first taken proper measures for destroying the bridge, next attacked the place with so much fury, that it was quickly taken; and, the next day, the citadel surrendered upon a capitulation, by which a great ransom was stipulated for the town. An offer was then made of two millions of ducats to spare the ships, and more might have been obtained; but the lord admiral said, He came there to consume, and not to compound; of which when the Spaniards were informed, they resolved to have the burning of their own fleet, which they accordingly set on fire; their loss by which was computed at twenty millions.

The earl was very desirous of keeping Cadiz, which he offered to have done with a very small garrison; but the council differed from him in opinion;

nion : so that, having plundered the island and demolished the forts, they embarked on the fifth of July, and bore away for the port of Faro, in Algarve, which they plundered and destroyed. Thence they proceeded to Cape St. Vincent, and, being driven by a brisk wind out to sea, it fell under consideration, whether they should not sail for the Azores, in hopes of intercepting the Plate fleet, which was carried in the negative ; and the earl's proposal, with two of her majesty's ships, and ten others, to make this attempt, was rejected likewise : which Mr. Camden attributes to the desire of some of the officers, who had made large booties, to get their treasure safe on shore. They looked in, however, at Corunna, and the earl would have then proceeded to St. Andero and St. Sebastian ; but others thinking they had done enough, the fleet returned prosperously to Plymouth on the eighth of August following ; and the earl, with his squadron, two days after.

He was very well received by the queen, and highly applauded by the people ; but, as it was too common with him, not entirely satisfied in himself ; which induced him to write, at a time when some faults were imputed to him, a kind of narrative of this exploit, and a censure upon other mens conduct ; which gained him little credit, and did him less good.

Yet, whatever might be the sentiments of the wiser part of the court, it appears plainly that, upon his return from this expedition, the earl of Essex stood very high in favour of the queen and of the nation ; and, perhaps, it might have gained him an accession of favour with the former, if the earl had not enjoyed so much of the latter, or had seemed to value it less than he did : but, as he had little of dissimulation in his temper, so the warmth



warmth with which he discovered either his affection or dislike, exposed him continually to the sinister practices of his enemies, who were thoroughly skilled in those arts which he knew least about.

They insinuated, therefore, to the queen, that, considering the earl's popularity, it would not be at all expedient for her service to receive such as he recommended to civil employments; and this they carried so far as to make even his approbation destructive to men's fortunes, whom they had encouraged and recommended themselves:—A thing hardly to be credited, if we had not the highest evidence to prove it.

It was a natural consequence, that the earl, who wanted not penetration enough to see, or spirit to resent this, should behave towards those he took to be the authors of such counsels with visible marks of anger and discontent; and this conduct of his made him frequently upon bad terms even with the queen herself, who was a princess very jealous of her authority, and, in cases of this nature, bore but very indifferently with any expostulations. However, as well out of her natural kindness to him, as from a desire of shewing a just acknowledgment for his late service, she was pleased, on the nineteenth of March, 1597, to appoint him master of the ordnance by patent.

This seems to have had a good effect, in quieting the mind, and raising the spirits of this great nobleman, who, upon the report that the Spaniards were forming a new fleet at Ferrol and Corunna, for the invasion of Ireland at least, if not England, readily offered his service to the queen, and cheerfully declared, as Camden assures us, that he would either defeat this new armada, which had threatened England for a year together, or perish  
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in the attempt, as one willingly devoted for the service of his country.

The queen, well pleased with this proposal, gave it all the countenance that could be desired, and caused a considerable fleet, though not so considerable as the action required, to be equipped for this service. The earl of Essex was appointed general, admiral, and commander in chief; the lord Thomas Howard, vice, and sir Walter Raleigh, rear-admirals: the lord Montjoy was lieutenant-general of the land forces, and sir Francis Vere marshal.

We may guess at the interest which the earl had in the success of this voyage by the number of his friends who engaged therein as volunteers; and, amongst them of the nobility were the earls of Rutland and Southampton, and the lords Cromwell and Rich. His sanguine hopes, however, were, in some measure, disappointed; for, sailing about the ninth of July, from Plymouth, they met at sixty leagues distance with so rough a storm, and of four days continuance, that they were obliged to put back to Plymouth, where they remained wind-bound for a month, in which time a great part of their provisions was consumed.

While the fleet was thus laid up, the earl of Essex and sir Walter Raleigh, set out post for the court, in order to receive fresh instructions. The proposals made by Essex, even after this disappointment, were very bold and great; but, as Camden seems to insinuate, very difficult and dangerous, if not impracticable; so that the queen would not countenance his projects, but rather left the direction of the expedition to the commanders in chief, according as the season and circumstances might encourage or permit. The same historian, and almost all who have written upon this subject after

after him, speaks of an old misunderstanding between Essex and sir Walter before they left England, which was productive of most of the mischiefs that afterwards happened; which there is good reason, however, to believe a groundless imputation upon both.

There seem to be few opinions better founded than that which, with due caution, admits the private letters of persons of good sense and experience, written at the time when things were transacted, to be the best documents for such points, either of public or of private history, as are not likely to be generally known with the same degree of certainty as facts of another species.

Amongst other papers of a very curious and instructive nature, which have been published lately in a very valuable collection, are the letters of Rowland White, esq. to sir Robert Sydney, at that time governor of Flushing. Mr. White was sir Robert's agent at court; and from these letters it appears, that the nobleman, on whose favour sir Robert chiefly relied, was the earl of Essex: so that we cannot well have better authority, in reference to what passed at court in those days, than the informations of this gentleman, concerned to make the closest enquiries he could, and bound in honour to relate what proved the result of them with the utmost fidelity.

We learn from him, that, in the beginning of the year 1597, there were great intrigues at court, where secretary Cecil was the most favoured counsellor, had long private conferences with the queen, and retarded or advanced mens suits at his pleasure. Essex at this time was in some discontent, though a great favourite likewise, and kept or was said to keep his bed., when he was not very sick; receiving frequent messages from the queen, and having also private audiences,

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In the beginning of the month of March, sir Walter Raleigh had several private interviews with the earl, in order to bring about a good understanding between him and the secretary, which he urged would have several good consequences; such as, making the queen easy, removing a great obstacle in the management of public affairs, and contributing not a little to forwarding the schemes concerted for humbling the common enemy.

It is easy to see from hence, that there could be no pique between the earl and sir Walter Raleigh; for if there had, sir Robert Cecil was too wise a man to have employed him.

While this treaty was in negotiation, there was a competition for the office of warden of the Cinque Ports, sir Robert Cecil supporting the new lord Cobham, and the earl of Essex recommending sir Robert Sydney first, and, finding that would not do, standing for it himself; upon which it was proposed that he should accept of the mastership of the ordnance; which he did. Soon after this, sir Henry Leigh was, at the recommendation of the earl of Essex, made knight of the garter; and the earl concurred in promoting the lord Borows to the government of Ireland.

In May, the treaty was in a manner concluded: the earl, by mediation of sir Walter Raleigh, was reconciled to the secretary, and they concerted together all the measures preparatory to the island expedition: and from the same letters we learn, that sir Walter Raleigh, who was entrusted with the care of victualling the fleet, had been remarkably civil to the earl of Essex, in what related to the provision of his own ship; and, when they were obliged to return by contrary winds, Mr. White represents their coming to London together, as the effects of their perfect intelligence, and does  
not

not give the least hint of any variance between them.

As soon as the fleet was repaired, and the land forces were debarked that, by the queen's command, were to remain at home, they sailed again from Plymouth on the seventeenth of August; having now two points in view, the one to burn the Spanish fleet in their own harbours, the other to intercept the ships they expected from the West-Indies.

Camden blames Essex for appearing openly within sight of the Spanish coast, and thereby alarming the enemy; but sir William Monson acquaints us with the true reason of the earl's conduct; which was, by making a show of a few ships, to draw out the enemy's fleet, it being found impossible to burn them in port. He also insinuates, that sir Walter Raleigh kept at a distance from the fleet; which was another discouragement: but, from the best accounts we have, this also appears to be a groundless imagination.

Sir Walter is afterwards said to have separated from the fleet by design, under pretence of repairing his ship; but sir William Monson tells us plainly, that this separation was owing to an involuntary miscarriage in Essex himself. When they joined again at the islands, it appears plainly that Essex and Raleigh were very good friends, notwithstanding there were some, on both sides, who laboured all they could to incense them against each other.

When they had refreshed at Flores, Essex commanded Raleigh to sail for Fayall, which he intended to attack with the whole fleet; but sir Walter coming there first, and apprehending that the smallest delay might have prevented their design, very gallantly attacked, and very happily succeeded,

succeeded, in making himself master of the island before the arrival of Essex with the rest of the fleet. This gave occasion to sir Walter's enemies to represent his vigilance and activity in the light of disobedience and contempt to Essex, which occasioned very high disputes; but, by the interposition of lord Thomas Howard, all things were compromised; sir Walter excused what had happened to the earl, and the earl accepted his excuse.

As the relations of this, which is called The Island voyage, already published, are very exact, and in themselves larger than this whole life, it cannot be expected that we should enter here into all the other particulars of this voyage; we shall therefore content ourselves with observing, that, notwithstanding the Spanish fleet escaped, and some other untoward accidents happened, in which the earl was not altogether without blame, yet three ships from the Havannah, the cargoes of which amounted to near one hundred thousand pounds, were taken; by which, the best part of the expences of the undertaking were defrayed, and so the fleet returned to England towards the close of October.

In respect to what Camden suggests, that, after their arrival in England, Essex and Raleigh accused each other, by which great disturbances were occasioned, there is some reason to doubt the matter of fact, and to believe they were both wiser men, and knew their respective interests better than to act in such a manner. It is true that the earl of Essex, upon his return from the island voyage, shewed evident signs of deep displeasure, retired to his house at Wanstead; and, under pretence of sickness, absented himself from the service of parliament then sitting; and it is also very true which Camden reports, that his dissatisfaction arose from the lord admiral's being created earl of Nottingham.

tingham in his absence, with some particular clauses in the preamble of his patent, which, as they were highly honourable for that noble peer, Essex conceived threw some disparagement upon himself. But, as to what the same historian insinuates, that he was no less displeased that sir Robert Cecil was advanced to be chancellor of the duchy of Lancaster, because he considered him as his principal antagonist, and a fast friend to sir Walter Raleigh; there is some reason to question that the first was the great, if not the sole cause of the earl's disquiet; that his distaste was very far from being peevish or unreasonable; and, that those who are reputed to have been his greatest enemies, were, in reality, the very persons that procured this noble person the satisfaction he desired.

This satisfaction consisted in creating the earl of Essex earl-marshal of England; which was done on the twenty-eighth of December, 1597; and he took his place in parliament accordingly on Wednesday the eleventh of January following: but, whereas Camden reports, that this office had been suppressed, or lain dormant, from the death of the earl of Shrewsbury; from whence it might be inferred, that it was a very extraordinary thing for the queen to be drawn to this promotion, it is clearly a mistake; the earl of Essex sitting, in this very parliament, as earl-marshal, and having precedence accordingly. We may add to this, that Camden himself had occasion to consider this point of the succession, power, and prerogative of the earls marshal of England, very closely: nor is it at all improbable, that it was, upon this very occasion; for the earl of Essex is the last marshal mentioned in his list, and he shews very fully his hereditary claim to that great honour.

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It is generally agreed, that this noble person had nothing of dissimulation in his nature; and therefore, having obtained this new favour of the queen, he was perfectly well pleased, and very readily promised sir Robert Cecil, secretary of state, who was appointed to execute a commission of great importance to the French king, that nothing to the prejudice of his interest should be done in his absence, without which promise the secretary would not have gone: and this he not only performed with the utmost punctuality, but even discharged the secretary's business, in his absence, with the utmost care and vigilance; and all this time no quarrels with sir Walter Raleigh, or so much as the least coldness: on the contrary, sir Walter knowing that the earl had engaged himself to his relation sir Robert Sydney, in reference to the post of vice-chamberlain, which was then vacant, he declined soliciting for it purely out of respect to Essex. But, in the month of May, 1598, sir Robert Cecil returning to England with new notions in relation to the peace, he quickly arose fresh disputes in the council about the expediency of that measure, which was very earnestly, as well as eloquently pressed by the old and wise lord treasurer Burleigh; and as warmly decried by the earl of Essex, who wanted not very plausible reasons in support of what he said. The treasurer, at length, grew into a great heat; inso-much that he told the earl of Essex, that he seemed to be intent upon nothing but blood and slaughter. The earl explained himself upon this, that the blood and slaughter of the queen's enemies might be very lawfully his intention: that he was not against a solid, but a specious and precarious peace; that the Spaniards were a subtle and ambitious people, who had contrived to do England



more mischief in time of peace than of war ; and, that, as to an enemy, whose hands it was impossible to bind by treaty, it was better not to tie up our own. The treasurer at last drew out a Prayer-book, in which he shewed Essex this expression, “ Men of blood should not live out half their “ days.” Yet Camden, from whom we have all this, acknowledges, that many thought the arguments of Essex had weight ; and that, in reality, his chief concern was for the honour and happiness of his native country, which he thought might be better promoted by an open war, which would always keep the king of Spain’s hands full at home ; than by an unsteady peace, which might give his catholic majesty time to recover his successive losses, and allow him leisure also to practise his usual arts for weakening us.

As the earl knew well enough, that various methods would be used to prejudice the common people against him, more especially such as in any degree got their living by trade, or thought themselves oppressed by the taxes levied for the support of the war, he resolved to write a vindication of his own proceedings, and to deliver his own arguments, with all the advantages that his own pathetic eloquence could give them ; which he addressed to his dear friend Anthony Bacon, and which still remains a memorial of his great virtues and admirable abilities.

About this time died the lord treasurer Burleigh ; which was a great misfortune to the earl of Essex, since the remembrance of his father, the trust reposed in him by committing this his eldest son to his care, and the respect and obedience which had been shewn him by the young lord for several years, preserved in him a tenderness for his person, and a real concern for his fortunes :

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but, when that great counsellor was gone, those who hated the earl, acted without restraint, crossed whatever he proposed, stopped the rise of every man he loved, and treated all his projects with an air of supercilious contempt, except one which they thought would be his ruin.

By the death of the lord-treasurer Burleigh, the chancellorship of the university of Cambridge became vacant; upon which, as the highest mark of their respect possible, that learned body chose the earl of Essex in his room. Upon this account he went down to pay them a visit, was entertained at Queen's College with great magnificence; and, as a proof of their affection, the room in which he lay was, long after, distinguished by the name of Essex-chamber.

We may account this one of the last instances of this great man's felicity, for he was now advanced too high to sit at ease; and those who longed for his honours and employments, very busily studied how they might bring about his fall.

The first great shock he had given him in the queen's favour, was on the score of the person he proposed to be sent over to Ireland, before he was drawn to have thoughts of going thither himself; and though, in appearance, he was reconciled and restored to the queen's favour, yet there is good reason to doubt whether it was ever recovered in reality; or, at least, to the degree in which he formerly held it.

An event happened much about this time, which shewed the sentiments the enemies of England had of this noble person, and ought therefore to have endeared him to such as had a real affection for their country: there was one Edward Squire seized and imprisoned for treason, and his

case came out to be this; he had been a groom in the queen's stables, went afterwards to sea with sir Francis Drake, was taken prisoner and carried to Spain, where he was persuaded by a jesuit to undertake poisoning the earl of Essex, and afterwards queen Elizabeth; for performing which he had poison given him in a bladder. He found means to rub this, as he was directed, upon the pommel of the queen's saddle; got himself afterwards recommended to serve on board the earl's ship in the island voyage, where, in like manner, he poisoned both the arms of his great chair; yet no effect followed in either case. Upon this, the Spanish jesuit, suspecting the man and not his drug, caused information to be given in England against Squire, who, finding himself betrayed by his confessor, opened the whole scene, and plainly acknowledged his endeavours to dispatch both the queen and the earl; for which he was deservedly executed.

The miseries of Ireland continued all this time, or rather increased; and, when proposals were made, in the queen's council, for sending over a new governor, with certain restrictions; Essex took occasion of shewing, that nothing had been hitherto so expensive as an ill-timed frugality; and, that the Irish rebels had been the only gainers by the restraint put upon the English deputies.

Those who hated this noble person, were not displeased when they found him in this disposition, and, at length, took, in their turn, occasion from his objections, to suggest, that the total reduction of that island was to be expected from none but himself; which, at first, he declined: but perceiving that he could enjoy little quiet or comfort at home; that it was with difficulty he maintained his credit; and that, by failing the expectations of his

his friends, he should gradually lose them, he consented to accept that fatal preferment, and agreed to go over into that kingdom, which had been the grave of his father's fortunes, and which his best friends foresaw would prove the gulf of his own. It is indeed true that he had a great army granted him, and that due care was taken for the payment of it ; that his powers were very large, and his appointments very great ; but these were obtained with many struggles, and notice was taken of every thing he promised, or seemed to promise, in order to obtain them ; and, when all things were regulated, he was so far from going with alacrity, as to a place which he had sought, and to a command which he meditated for the sake of greater things, that he seemed rather to look upon it as a banishment, and a place assigned him to retreat from his sovereign's present displeasure, rather than a potent government bestowed upon him by her favour.

The truth of this may be not only probably collected, but in some measure proved, from an epistle of his to the queen, written after his appointment to the government of Ireland, and before his going thither, of which there is a very imperfect copy in the Cabala ; but that loss is now supplied, by the following full and correct transcript of that valuable and authentic paper, from the collections in the Harleian library. If we consider the earl's character, and how incapable he was of dissembling, the weight of this evidence will be the greater : but, without taking in that, the very stile of the letter is such as will put all suspicion of artifice out of the case ; which will teach the reader what to think of the declaration of his treasons, that stands entirely upon this bottom, that he had plotted a revolution in England

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before he went to Ireland; and desired the lieutenancy that he might put himself at the head of an army, and enter into a confederacy with the rebels.

“ To the Queen.

“ FROM a mind delighting in sorrow; from  
 “ spirits wasted with passion; from a heart torn in  
 “ pieces with care, grief and travail; from a man  
 “ that hateth himself, and all things else that keep  
 “ him alive; what service can your majesty expect,  
 “ since any service past deserves no more  
 “ than banishment and proscription to the cur-  
 “ sedest of all islands? It is your rebels pride  
 “ and succession must give me leave to ransom  
 “ myself out of this hateful prison, out of my  
 “ loathed body; which, if it happen so, your  
 “ majesty shall have no cause to dislike the fashion  
 “ of my death, since the course of my life could  
 “ never please you.

“ Happy he could finish forth his fate  
 “ In some unhaunted desert, most obscure  
 “ From all society, from love and hate  
 “ Of worldly folk; then should he sleep secure;  
 “ Then wake again, and yield God ever praise;  
 “ Content with hips, and haws, and brambleberry;  
 “ In contemplation passing out his days,  
 “ And change of holy thoughts to make him  
     “ merry:  
 “ Who, when he dies, his tomb may be a bush,  
 “ Where harmless Robin dwells with gentle  
     “ Thrush.”

“ Your majesty’s exiled servant,

“ ROBERT ESSEX.”

On

## ROBERT DEVEREUX. 4

On the twelfth of March, 1598, his commission for lord-lieutenant passed the the great-seal; and, on the twenty-seventh of the same month, about two in the afternoon, he set out from Seething-lane, and passing through the city in a plain habit, accompanied by many of the nobility, he was attended by vast crowds of people out of town; and it was observed, with a view, perhaps, to prepare the world to have a bad opinion of his conduct, that the weather was exceeding fair when he took horse, but, by that time he came to Islington, there was a heavy storm of rain, attended with thunder and lightning. The like bad weather he met with at sea, so that he did not arrive at Dublin, or take upon him his charge, before the fifteenth of April, 1599.

He found things in that country in a state very different from what he expected, and perceived that there was nothing to be done, at least to any purpose, till he was well acquainted with the country in which he was to act. He found, likewise, that the new-raised men he had brought over were altogether unfit for action, till they were seasoned to the country, and well acquainted with discipline.

These considerations hindered him from marching directly to Ulster, for fear Tir-Oen should make any advantage of his weaknesses; and the council desiring that he would suppress some disorders in Munster, he thought that a fair occasion of exercising his new troops, and did it effectually.

On his return to Dublin, that very day two months on which he received the government, he wrote a letter to the queen, containing a free, fair, and full representation of the state of things in that country; which most admirable performance pointing out all the steps that were afterwards

taken, and by which his successor made an end of the war, remains upon record in Ireland; but, of the contents thereof, not a syllable is mentioned in Camden or the rest of our historians. This letter he sent over to the queen by his secretary, in hopes that from thence she might have derived a just notion of the state of things in that island; but it produced no such effect: on the contrary, the queen was exceedingly provoked that he had not marched into Ulster, in order to attack Tiroen, and repeated her orders upon that head in very strong terms.

Before these arrived, Sir Henry Harrington, with some of the fresh troops, had been worsted by the O Brians; which so provoked Essex, that he caused the remains of those troops to be decimated; which, with the throwing a soldier over-board in his last expedition, with his own hands, are the only instances of severity recorded of him.

When he received the queen's orders, and was on the point of marching into Ulster, he was prevailed upon to enter the country of Ophaly, to reduce the O Connors and the O Moores; which he performed: but his troops were so harassed and diminished thereby, that, with the advice and consent of the council of Ireland, he wrote home for a recruit of two thousand men.

In the midst of these crosses in Ireland, an army was suddenly raised in England, under the command of the earl of Nottingham; no-body well knowing why: but, in reality, from the suggestions of the earl's enemies to the queen, that he rather meditated an invasion on his native country, than the reduction of the Irish rebels.

At length, Essex, intending for Ulster, sent orders to Clifford, who commanded in Connaught, to march towards the enemy on that side, that Tiroen

Oen might be obliged to divide his forces; which was executed, but with such ill fortune, that the English, being surprized, were beaten, with the loss of their commander in chief, together with sir Alexander Ratcliffe, and one hundred and forty men.

Upon the arrival of the succours which he had demanded, the lord-lieutenant marched, through with a small force, against Tir-Oen, in the latter end of the month of August; but, on the eighth of September following, was prevailed upon to confer with him alone at the ford of Ballaclynch; and afterwards with counsellors on both sides, when he concluded a truce for six weeks, and so from six weeks to six weeks, till May; provided that, on a fortnight's notice, either party might be at liberty to resume the war.

He was led to this by the weak and desperate resolution he had taken of returning to England, whither he had once some thoughts of transporting a body of his forces, but was dissuaded from it by his friends. However, upon receiving a sharp letter, directed to him and the council, from the queen, he determined to stay no longer, settled the government in the best manner he could, and, with a few of his friends, came over to England.

He arrived before any notice could be received of his design; went directly to the court at Non-such, and presented himself to the queen on the twenty-eighth of September, where he met with a tolerable reception; but was, soon after, committed, treated with a mixture of kindness and severity, till, upon his absolute submission, he was brought before some of the privy-council; severely reprimanded, dismissed from the board, suspended from the exercise of all his great offices, except that of master of the horse, and committed to a  
keeper,



keeper, sir Richard Barkley, who was, not long after, withdrawn.

Such was the issue of the queen's resentments: as for what happened afterwards, it was the effects of his own ill conduct, wrought up to a degree of madness from the artifices of his subtle enemies.

In the summer of the year 1600, he recovered his liberty; and, in the autumn following, he received Mr. Cusse, who had been his secretary in Ireland into his councils; who laboured to persuade him, that submission would never do him any good; that the queen was in the hands of a faction, who were his enemies; and, that the only way to restore his fortune, was to find the means of obtaining an audience, in which he might be able to represent his own case, let that means be what it would. The earl heard this dangerous advice without consenting to it, till he found there was no hopes of getting his farm of the sweet wines renewed: then, it is said, that, giving loose to his passion, he let fall many vehement expressions; and, among the rest, this fatal reflection, That the queen grew old and cankered, and that her mind was as crooked as her carcase. Camden says that this was aggravated by some of the court ladies, whom he had disappointed in their intrigues.

The earl of Clarendon seems to suspect the truth of it, but another great historian, who knew all the passages of those times well, is more clear in this respect.

Those enemies who had exact intelligence of all he proposed, having provided effectually against the execution of his designs, hurried him upon his fate by a message sent on the evening of the seventh of February, requiring him to attend the council; which he declined. He then gave out that they sought his life, kept a watch in Essex-house all night,

night, and summoned his friends, for his defence, the next morning.

The queen, being informed of the great resort of people of all ranks to the earl, sent the lord-keeper Egerton, the earl of Worcester, sir Francis Knolles, (his uncle by the mother's side) and the lord-chief-justice Popham, to know his grievances; whom, after a short and ineffectual conference, he confined; and then, attended by the earls of Rutland and Southampton, the lord Sands, the lord Monteagle, and about two hundred gentlemen, he went into the city, where the earl of Bedford, the lord Cromwell, and some other gentlemen joined him; but his dependance on the populace failed him; and sir Robert Cecil prevailing upon his brother, the lord Burleigh, to go with sir Gilbert De-thick, then king at arms, and proclaim Essex and his adherents traitors, in the principal streets, the earl found it impossible to return to his house by land; and, therefore, sending sir Ferdinando Gorges before to release the chief-justice, who, for his own sake, thought fit to extend that order to the rest of the privy-counsellors; the earl, with his principal attendants, returned in boats to Essex-house; which was quickly invested by the earl of Nottingham, lord-admiral, with a great force; to whom, after many disputes, and some blood spilt, he and his adherents at last surrendered.

Essex was carried that night to the archbishop of Canterbury's palace at Lambeth, with the earl of Southampton, and the next day they were sent to the Tower.

On the nineteenth of the same month, they were arraigned before their peers, and, after a long trial, they were found guilty, and sentence of death pronounced by the lord Buckhurst, who

who sat as lord high steward. Upon this melancholy occasion, all that Essex said, was, "If her  
 "her majesty had pleased, this body of mine might  
 "have done her better service; however, I shall be  
 "glad if it may prove serviceable to her any way."

After he was remanded to the Tower, there were great pains taken to draw from him very large and full confessions; which was the more easy, as he was truly and sincerely pious; and, after he was once persuaded, that his project was of a treasonable nature, he made it a point of conscience to disclose all he knew, though it was highly prejudicial to his friends, and could do no good to himself; and, indeed, he did not appear either to design or desire it. Two reasons seem especially to have moved such as set on foot these practices, by which the honesty of Essex was rendered fatal even to his last breath; and they were such as became politicians, who had nothing but self interest in view; which, if they could promote, they had not either consideration or pity for others. The first was, that, by his proper confession, they might effectually establish the truth of his plot, increase the number of its circumstances, heighten the apparent danger of its consequences, and thereby furnish plentiful materials for proclamations, sermons, and declarations; which might remove from the unhappy earl all means of obtaining mercy; excite in the queen the utmost horror; and, at the same time, terrify her with dismal apprehensions, while the nation in general was astonished, and their affection for the unhappy earl cooled, or, at least, contemned. In all which, for a time, they gained their end.

The other motive was finding out evidence against the chief of his adherents, many of whom were of great quality, and some also of great fortune,

tune, whom they meant to let escape out of the briars, provided nevertheless that they left their fleeces behind them; in which they were likewise but too successful, rendering highly profitable to themselves that clemency which their royal mistresses would have extended freely.

Camden adds to this another circumstance, which wants explaining, he says, that he discovered many in Scotland, France, and the Low-Countries, who were embarked with him; besides others in England, and the lord Montjoy, who succeeded him in the government of Ireland; so that their numbers obliged the queen to dissemble what she knew. He adds, that he gave a confession under his hand, which his enemies shewing to king James some time after, brought him and his friends into great disesteem with that prince.

After drawing out of Essex all that he could say, and thereby rendering death more desirable to him than life, the twenty-fifth of February was fixed for his execution; as to which the queen was irresolute to the very last; so that she sent sir Edward Cary to countermand it: but, as Camden says, considering afterwards his obstinacy, his refusing to ask her pardon, and declaring that his life was inconsistent with her safety, she countermanded these orders, and directed he should die.

There is a strange story current in the world about a ring, which the earl of Clarendon styles a loose report, that crept into discourse soon after his miserable end; yet a foreign writer, of great reputation, gives us this as an undoubted truth, and that upon the authority of an English minister, who might be well presumed to know what he said; and therefore, in the words of that writer, we shall report it.

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But to the point; the chevalier Louis Aubery de Maurier, who was many years the French minister in Holland, a man of great parts and unsuspected veracity, delivers this tale in the following words :

“ It will not, I believe, be thought either impertinent or disagreeable to add here what prince Maurice had from the mouth of Mr. Carleton, ambassador from England in Holland, who died secretary of state; so well known under the name of my lord Dorchester, and who was a man of merit. He said, that queen Elizabeth gave the earl of Essex a ring, in the height of her passion for him, ordering him to keep it, and that whatever he should commit, she would pardon him, when he should return that pledge. Since that time, the earl’s enemies having prevailed with the queen, who besides was exasperated against him for the contempt he shewed her beauty, which, through age, began to decay, she caused him to be impeached.

“ When he was condemned, she expected that he would send her the ring, and would have granted him his pardon according to her promise. The earl, finding himself in the last extremity, applied to admiral Howard’s lady, who was his relation, and desired her, by a person whom he could trust, to return the ring into the queen’s own hands. But her husband, who was one of the earl’s greatest enemies, and to whom she told this imprudently, would not suffer her to acquit herself of the commission; so that the queen consented to the earl’s death, being full of indignation against such a proud and haughty spirit, who chose rather to die than to implore her mercy.

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“ Some time after, the admiral’s lady fell sick, and, being given over by her physicians, she sent word to the queen, that she had something of great consequence to tell her before she died. The queen came to her bed-side, and having ordered all the attendants to withdraw, the admiral’s lady returned her, but too late, that ring from the earl of Essex, desiring to be excused that she did not return it sooner, having been prevented doing it by her husband.

“ The queen retired immediately, being overwhelmed with the utmost grief; she sighed continually for a fortnight following, without taking any nourishment, lying a-bed entirely dressed, and getting up an hundred times a night. At last she died with hunger and with grief, because she had consented to the death of a lover who had applied to her for mercy.

“ This melancholy adventure shews, that there are frequent transitions from one passion to another; and, that as love often changes to hate, so hate, giving place sometimes to pity, brings the mind back again into its first state.”

Sir Dudley Carleton, who is made the author of this story, was a man who deserved the character that is given of him, and could not but be well informed of what passed at court: but, whoever considers the age of queen Elizabeth, at the time when the earl of Essex first entered into her presence, will find it difficult to believe the queen ever considered him in the light of a lover.

This countess of Nottingham was the daughter of the lord viscount Hunsdon, related to the queen, and also by his mother to the earl of Essex.

Before we part with this subject, it may not be amiss to observe, that something of truth there certainly

certainly is as to the queen's death being hastened by an accident relating to a ring, and by her reflecting on the death of the earl of Essex.

In the ceremony of her coronation, she was wedded to the kingdom with a ring, which she always wore, till, the flesh growing over it, it was filed off a little before her decease. About the same time observing, that the loss of Essex, and the confusion of his friends, had put her entirely into the hands of those who began to neglect her, and court her successor, she could not help saying in an excess of passion, " They have now got me " in a yoke, I have nobody left me that I can " trust; my condition is the perfect reverse of " what it was." It is also true, that a melancholy sense of this brought her to her end about twenty-five months after the death of Essex.

" The manner of the earl's suffering death is so " largely related in Camden, and others, that we " shall not meddle with it here, farther than to observe, that, as many actions of his life spoke him " a hero, so this last action shewed him a true Christian, by manifesting he was far less careful of his " body than his soul, and much more afraid of his " sin than his punishment."

: His character is very fully drawn by sir Henry Wotton, very fairly by sir Robert Naunton, very freely by Camden, and very finely touched by the masterly pen of the lord Clarendon; neither are there wanting some useful touches in Osborne, Fuller, Lloyd, Winstanley, and other writers of less fame. It appears, from the comparison of these, that, in respect to the public, he was truly a patriot, had a great regard to his sovereign's honour, and no less zeal for his country's service; he valued himself on losing a father and a brother,  
and

and in spending a great part of his substance in the cause of both ; his projects were high, but very honourable ; and the difficulties with which they were embarrassed, seemed rather to invite than to deject him. He was, however, too covetous of royal favour, and, some say, not respectful enough to the royal person ; and, if there was any truth in this, his fault was inexcusable, the queen preventing his merit by her favours, as well as rewarding it by honours ; nor did he feel the sunshine only, but the dew of the court, since, if the lord-treasurer Buckhurst computed right, and he was no enemy to my lord of Essex, he received, in grants, pensions, and places, to the amount of three hundred thousand pounds ; but then, as he received all this from, he spent it for, the public ; and, if he sometimes appeared covetous, it was that he might be always generous ; for, to his honour be it spoke, learning never approached him ungraced, merit unrewarded, or want without receiving relief. His sovereign's favour he lost often, the fidelity of his friends, and the affection of the people never ; yet he sometimes trusted those who had been formerly his enemies, and was not fortunate in all his enterprizes ; which renders the wonder greater.

As to his person, he is reported to have been tall, but not very well made, his countenance reserved, his air rather martial than courtly, very careless in dress, and very little addicted to trifling diversions. Learned he was, and a lover of learned men ; wrote with that facility which is the true mark of genius ; with that closeness and perspicuity, which is the happiest fruit of learning ; and that noble simplicity, which is the characteristic of a great mind. Sincere in his friendship, but not so



careful as he ought to have been in making a right choice ; found in his morals, except in the point of gallantry, and thoroughly well affected to the protestant religion, of which he had very just notions, despising alike the meanness of superstition and the folly of infidelity.

He suffered at the usual place of execution, in the thirty-fourth year of his age, leaving by his wife only one son, Robert, and two daughters ; Frances who became the wife of William, first earl Denbigh, of Hertford, and lastly duke of Somerset. and Dorothy, who first married sir Henry Stanley, of Stanton Harold in the county of Leicester, bart. and afterwards to William Stafford, of Blatherwyck, in the county of Northampton, esq. He left also, by Mrs Southwell, a natural son named Walter.

END OF THE SECOND VOLUME.





